

# Customs Bulletin

Regulations, Rulings, Decisions, and Notices  
concerning Customs and related matters



## and Decisions

of the United States Court of Appeals for  
the Federal Circuit and the United  
States Court of International Trade

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Vol. 25

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JULY 17, 1991

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No. 29

*This issue contains:*

U.S. Customs Service

T.D. 91-58 Through 91-61

General Notice

Proposed Rulemaking

U.S. Court of International Trade

Slip Op. 91-51 and 91-52

Abstracted Decisions:

Classification: C91/170 Through C91/176

**AVAILABILITY OF BOUND VOLUMES**

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THE DEPARTMENT OF THE TREASURY  
U.S. Customs Service

## **NOTICE**

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# U.S. Customs Service

## *Treasury Decisions*

(T.D. 91-58)

### APPROVAL OF QUANTUM MARINE, INC., AS A COMMERCIAL GAUGER

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of approval of Quantum Marine, Inc., as a commercial gauger.

SUMMARY: Quantum Marine, Inc., of Aston, Pennsylvania recently applied to Customs for approval to gauge imported petroleum, petroleum products, organic chemicals and vegetable and animal oils under Part 151.13 of the Customs Regulations (19 CFR 151.13). Customs has determined that Quantum Marine, Inc., meets all of the requirements for approval as a commercial gauger.

Therefore in accordance with Part 151.13 (f) of the Customs Regulations, Quantum Marine Inc., 2 New Road, Suite 201, Aston, Pennsylvania 19014, is approved to gauge the products named above in all Customs districts.

EFFECTIVE DATE: July 1, 1991.

FOR FURTHER INFORMATION CONTACT: Ira S. Reese, Special Assistant for Commercial and Tariff Affairs, Office of Laboratories and Scientific Services, U.S. Customs Service, 1301 Constitution Avenue NW, Washington, D.C. 20229 (202-566-2446).

Dated: July 3, 1991.

LYAL V.S. HOOD,  
*Acting Director,*  
*Office of Laboratories and Scientific Services.*

[Published in the Federal Register, July 10, 1991 (56 FR 31467)]

(T.D. 91-59)

## FOREIGN CURRENCIES

## DAILY RATES FOR COUNTRIES NOT ON QUARTERLY LIST FOR JUNE 1991

The Federal Reserve Bank of New York, pursuant to 31 U.S.C. 5151, has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Holiday: None.

## Greece drachma:

June 3, 1991	.....	\$0.005223
June 4, 1991	.....	.005234
June 5, 1991	.....	.005219
June 6, 1991	.....	.005210
June 7, 1991	.....	.005159
June 10, 1991	.....	.005169
June 11, 1991	.....	.005169
June 12, 1991	.....	.005109
June 13, 1991	.....	.005101
June 14, 1991	.....	.005122
June 17, 1991	.....	.005101
June 18, 1991	.....	.005063
June 19, 1991	.....	.005119
June 20, 1991	.....	.005080
June 21, 1991	.....	.005077
June 24, 1991	.....	.005111
June 25, 1991	.....	.005077
June 26, 1991	.....	.005111
June 27, 1991	.....	.005083
June 28, 1991	.....	.005025

## South Korea won:

June 3, 1991	.....	\$0.001379
June 4, 1991	.....	.001376
June 5, 1991	.....	.001372
June 7, 1991	.....	.001372
June 10, 1991	.....	.001372
June 11, 1991	.....	.001370
June 12, 1991	.....	.001371
June 13, 1991	.....	.001383
June 14, 1991	.....	.001376
June 17, 1991	.....	.001377
June 18, 1991	.....	.001373
June 19, 1991	.....	.001373
June 21, 1991	.....	.001374
June 24, 1991	.....	.001381
June 25, 1991	.....	.001367
June 26, 1991	.....	.001366
June 27, 1991	.....	.001369
June 28, 1991	.....	.001375

FOREIGN CURRENCIES—Daily rates for countries not on quarterly list for June 1991 (continued):

Taiwan N.T. dollar:

June 3, 1991	.....	\$0.036742
June 4, 1991	.....	.036771
June 5, 1991	.....	.036804
June 6, 1991	.....	.036819
June 7, 1991	.....	.036815
June 10, 1991	.....	.036784
June 11, 1991	.....	.036786
June 12, 1991	.....	.036791
June 13, 1991	.....	.036778
June 14, 1991	.....	.036777
June 18, 1991	.....	.036826
June 19, 1991	.....	.036805
June 20, 1991	.....	.036792
June 21, 1991	.....	.036796
June 24, 1991	.....	.036826
June 25, 1991	.....	.036854
June 26, 1991	.....	.036879
June 27, 1991	.....	.036873
June 28, 1991	.....	.036887

(LIQ-03-01 S:NISD CIE)

Dated: July 3, 1991

MICHAEL MITCHELL,

*Chief,  
Customs Information Exchange.*

(T.D. 91-60)

FOREIGN CURRENCIES

VARIANCES FROM QUARTERLY RATE FOR JUNE 1991

The following rates of exchange are based upon rates certified to the Secretary of the Treasury the Federal Reserve Bank of New York, pursuant to 31 U.S.C. 5151, and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 91-31 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Holiday: None.

Austria schilling:

June 7, 1991	.....	\$0.080386
June 10, 1991	.....	.080257
June 11, 1991	.....	.080273
June 12, 1991	.....	.079302
June 13, 1991	.....	.078989
June 14, 1991	.....	.079491

FOREIGN CURRENCIES—Variances from quarterly rate for June 1991  
(continued):

## Austria schilling (continued):

June 17, 1991	.....	\$0.079177
June 18, 1991	.....	.078431
June 19, 1991	.....	.079428
June 20, 1991	.....	.079177
June 21, 1991	.....	.079036
June 24, 1991	.....	.079618
June 25, 1991	.....	.079177
June 26, 1991	.....	.079618
June 27, 1991	.....	.079255
June 28, 1991	.....	.078370

## Belgium franc:

June 7, 1991	.....	\$0.027457
June 10, 1991	.....	.027465
June 11, 1991	.....	.027435
June 12, 1991	.....	.027122
June 13, 1991	.....	.027027
June 14, 1991	.....	.027144
June 17, 1991	.....	.027027
June 18, 1991	.....	.026802
June 19, 1991	.....	.027144
June 20, 1991	.....	.027034
June 21, 1991	.....	.027012
June 24, 1991	.....	.027226
June 25, 1991	.....	.026998
June 26, 1991	.....	.027189
June 27, 1991	.....	.027042
June 28, 1991	.....	.026795

## Denmark krone:

June 7, 1991	.....	\$0.147124
June 10, 1991	.....	.147059
June 11, 1991	.....	.146692
June 12, 1991	.....	.144959
June 13, 1991	.....	.144415
June 14, 1991	.....	.145138
June 17, 1991	.....	.144207
June 18, 1991	.....	.143000
June 19, 1991	.....	.144760
June 20, 1991	.....	.144238
June 21, 1991	.....	.144259
June 24, 1991	.....	.145117
June 25, 1991	.....	.144217
June 26, 1991	.....	.145096
June 27, 1991	.....	.144092
June 28, 1991	.....	.144092

## Finland markka:

June 12, 1991	.....	\$0.236239
June 13, 1991	.....	.235073
June 14, 1991	.....	.236267
June 17, 1991	.....	.234632
June 18, 1991	.....	.232829
June 19, 1991	.....	.235156

FOREIGN CURRENCIES—Variances from quarterly rate for June 1991  
(continued):

## Finland markka (continued):

June 20, 1991	.....	\$0.233809
June 21, 1991	.....	.233863
June 24, 1991	.....	.235682
June 25, 1991	.....	.234824
June 26, 1991	.....	.236351
June 27, 1991	.....	.235183
June 28, 1991	.....	.235571

## France franc:

June 7, 1991	.....	\$0.166750
June 10, 1991	.....	.166792
June 11, 1991	.....	.166399
June 12, 1991	.....	.164636
June 13, 1991	.....	.164015
June 14, 1991	.....	.164582
June 17, 1991	.....	.163760
June 18, 1991	.....	.162193
June 19, 1991	.....	.164163
June 20, 1991	.....	.163613
June 21, 1991	.....	.163666
June 24, 1991	.....	.164935
June 25, 1991	.....	.163827
June 26, 1991	.....	.165017
June 27, 1991	.....	.164231
June 28, 1991	.....	.162655

## Germany deutsche mark:

June 7, 1991	.....	\$0.564972
June 10, 1991	.....	.564812
June 11, 1991	.....	.564016
June 12, 1991	.....	.558036
June 13, 1991	.....	.556328
June 14, 1991	.....	.558815
June 17, 1991	.....	.556174
June 18, 1991	.....	.551207
June 19, 1991	.....	.558659
June 20, 1991	.....	.556266
June 21, 1991	.....	.556019
June 24, 1991	.....	.560381
June 25, 1991	.....	.555864
June 26, 1991	.....	.560130
June 27, 1991	.....	.556948
June 28, 1991	.....	.551329

## India rupee:

June 3, 1991	.....	\$0.047619
June 4, 1991	.....	.047619
June 5, 1991	.....	.047596
June 6, 1991	.....	.047619
June 7, 1991	.....	.047483
June 10, 1991	.....	.047596
June 11, 1991	.....	.047551
June 12, 1991	.....	.047755
June 13, 1991	.....	.047619

**FOREIGN CURRENCIES—Variances from quarterly rate for June 1991  
(continued):**

India rupee (continued):

June 14, 1991	.....	\$0.047642
June 17, 1991	.....	.047259
June 18, 1991	.....	.047259
June 19, 1991	.....	.047304
June 20, 1991	.....	.047416
June 21, 1991	.....	.047438
June 24, 1991	.....	.047281
June 25, 1991	.....	.047348
June 26, 1991	.....	.047416
June 27, 1991	.....	.047438
June 28, 1991	.....	.047326

Ireland pound:

June 12, 1991	.....	\$1.493500
June 13, 1991	.....	1.486500
June 14, 1991	.....	1.494000
June 17, 1991	.....	1.487000
June 18, 1991	.....	1.474800
June 19, 1991	.....	1.493500
June 20, 1991	.....	1.489000
June 21, 1991	.....	1.487000
June 24, 1991	.....	1.498000
June 25, 1991	.....	1.488500
June 26, 1991	.....	1.499000
June 27, 1991	.....	1.490500
June 28, 1991	.....	1.473500

Italy lira:

June 11, 1991	.....	\$0.000759
June 12, 1991	.....	.000751
June 13, 1991	.....	.000748
June 14, 1991	.....	.000749
June 17, 1991	.....	.000747
June 18, 1991	.....	.000742
June 19, 1991	.....	.000749
June 20, 1991	.....	.000748
June 21, 1991	.....	.000747
June 24, 1991	.....	.000753
June 25, 1991	.....	.000747
June 26, 1991	.....	.000751
June 27, 1991	.....	.000748
June 28, 1991	.....	.000741

Netherlands guilder:

June 7, 1991	.....	\$0.501429
June 10, 1991	.....	.501379
June 11, 1991	.....	.500626
June 12, 1991	.....	.495270
June 13, 1991	.....	.493876
June 14, 1991	.....	.496032
June 17, 1991	.....	.493754
June 18, 1991	.....	.489285
June 19, 1991	.....	.495983
June 20, 1991	.....	.493778

FOREIGN CURRENCIES—Variances from quarterly rate for June 1991  
(continued):

Netherlands guilder (continued):

June 21, 1991	.....	\$0.493486
June 24, 1991	.....	.497389
June 25, 1991	.....	.493340
June 26, 1991	.....	.497092
June 27, 1991	.....	.494413
June 28, 1991	.....	.489380

Norway krone:

June 7, 1991	.....	\$0.144991
June 10, 1991	.....	.144938
June 11, 1991	.....	.144592
June 12, 1991	.....	.143031
June 13, 1991	.....	.142440
June 14, 1991	.....	.143164
June 17, 1991	.....	.142116
June 18, 1991	.....	.140954
June 19, 1991	.....	.142694
June 20, 1991	.....	.142379
June 21, 1991	.....	.142369
June 24, 1991	.....	.143472
June 25, 1991	.....	.142684
June 26, 1991	.....	.143585
June 27, 1991	.....	.142816
June 28, 1991	.....	.142827

Portugal escudo:

June 11, 1991	.....	\$0.006376
June 12, 1991	.....	.006279
June 13, 1991	.....	.006283
June 14, 1991	.....	.006295
June 17, 1991	.....	.006279
June 18, 1991	.....	.006246
June 19, 1991	.....	.006355
June 20, 1991	.....	.006331
June 21, 1991	.....	.006359
June 24, 1991	.....	.006412
June 25, 1991	.....	.006371
June 26, 1991	.....	.006404
June 27, 1991	.....	.006380
June 28, 1991	.....	.006315

South Africa, Republic of, rand:

June 3, 1991	.....	\$0.354233
June 5, 1991	.....	.353357
June 6, 1991	.....	.352423
June 7, 1991	.....	.349650
June 10, 1991	.....	.350570
June 11, 1991	.....	.351185
June 12, 1991	.....	.350570
June 13, 1991	.....	.347705
June 14, 1991	.....	.349650
June 17, 1991	.....	.347222
June 18, 1991	.....	.344234
June 19, 1991	.....	.349406

FOREIGN CURRENCIES—Variances from quarterly rate for June 1991  
(continued):

## South Africa, Republic of, rand (continued):

June 20, 1991	.....	\$0.346560
June 21, 1991	.....	.347162
June 24, 1991	.....	.349773
June 25, 1991	.....	.346440
June 26, 1991	.....	.349040
June 27, 1991	.....	.347102
June 28, 1991	.....	.345722

## Spain peseta:

June 12, 1991	.....	\$0.009007
June 13, 1991	.....	.008978
June 14, 1991	.....	.008953
June 17, 1991	.....	.008851
June 18, 1991	.....	.008799
June 19, 1991	.....	.008842
June 20, 1991	.....	.008855
June 21, 1991	.....	.008847
June 24, 1991	.....	.008929
June 25, 1991	.....	.008859
June 26, 1991	.....	.008902
June 27, 1991	.....	.008879
June 28, 1991	.....	.008797

## Sweden krona:

June 12, 1991	.....	\$0.155231
June 13, 1991	.....	.154512
June 14, 1991	.....	.155280
June 17, 1991	.....	.153858
June 18, 1991	.....	.152648
June 19, 1991	.....	.154512
June 20, 1991	.....	.153775
June 21, 1991	.....	.153799
June 24, 1991	.....	.154799
June 25, 1991	.....	.153822
June 26, 1991	.....	.154871
June 27, 1991	.....	.153894
June 28, 1991	.....	.154048

## Switzerland franc:

June 7, 1991	.....	\$0.658328
June 10, 1991	.....	.661463
June 11, 1991	.....	.660284
June 12, 1991	.....	.652529
June 13, 1991	.....	.650491
June 14, 1991	.....	.652103
June 17, 1991	.....	.646831
June 18, 1991	.....	.640161
June 19, 1991	.....	.649899
June 20, 1991	.....	.648635
June 21, 1991	.....	.646496
June 24, 1991	.....	.652103
June 25, 1991	.....	.644122
June 26, 1991	.....	.647668
June 27, 1991	.....	.645369
June 28, 1991	.....	.641766

FOREIGN CURRENCIES—Variances from quarterly rate for June 1991  
(continued):

## United Kingdom pound:

June 10, 1991	.....	\$1.668800
June 11, 1991	.....	1.661500
June 12, 1991	.....	1.644500
June 13, 1991	.....	1.637700
June 14, 1991	.....	1.639000
June 17, 1991	.....	1.625200
June 18, 1991	.....	1.611500
June 19, 1991	.....	1.632500
June 20, 1991	.....	1.631200
June 21, 1991	.....	1.631000
June 24, 1991	.....	1.642000
June 25, 1991	.....	1.628100
June 26, 1991	.....	1.639500
June 27, 1991	.....	1.632000
June 28, 1991	.....	1.618000

(LIQ-03-01 SNISD CIE)  
Dated: July 3, 1990

MICHAEL MITCHELL,  
*Chief,*  
*Customs Information exchange.*

(T.D. 91-61)

## FOREIGN CURRENCIES

## QUARTERLY RATES OF EXCHANGE: JULY 1 THROUGH SEPTEMBER 30, 1991

The table below lists rates of exchange, in United States dollars for certain foreign currencies, which are based upon rates certified to the Secretary of the Treasury by the Federal Reserve of New York under provisions of 31 U.S.C. 5151, for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Country	Name of currency	U.S. dollars
Australia	Dollar	\$0.765100
Austria	Schilling	0.078034
Belgium	Franc	0.026667
Brazil	Cruzado	N/A
Canada	Dollar	0.874891
China, P.R.	Renminbi yuan	0.186254
Denmark	Krone	0.142167
Finland	Markka	0.231669
France	Franc	0.162075
Germany	Deutche mark	0.548998
Hong Kong	Dollar	0.128733
India	Rupee	0.043309
Iran	Rial	N/A
Ireland	Pound	1.468500
Italy	Lira	0.000738
Japan	Yen	0.007225
Malaysia	Dollar	0.358423
Mexico	Peso	N/A
Netherlands	Guilder	0.487353
New Zealand	Dollar	0.572300
Norway	Krone	0.140845
Philippines	Peso	N/A
Portugal	Escudo	0.006303
Singapore	Dollar	0.565707
South Africa, Republic of	Rand	0.343761
Spain	Peseta	0.008766
Sri Lanka	Rupee	0.024279
Sweden	Krona	0.152114
Switzerland	Franc	0.638978
Thailand	Baht (tical)	0.038805
United Kingdom	Pound	1.614000
Venezuela	Bolivar	N/A

(LIQ-03-01 S:NISD CIE)

Dated: July 3, 1991.

MICHAEL MITCHELL,  
*Chief,*  
*Customs Information Exchange.*

# U.S. Customs Service

## *General Notice*

### **COPYRIGHT, TRADEMARK, TRADE NAME RECORDATIONS**

**AGENCY:** U.S. Customs Service, Department of Treasury.

**SUMMARY:** The U.S. Customs Service permits an owner of a copyright or trademark registered with the appropriate U.S. Government agency to record his copyright or trademark with Customs for protection against the importation of infringing articles. Trade names may also be recorded with Customs.

**FOR FURTHER INFORMATION CONTACT:** John F. Atwood, Chief, Intellectual Property Rights Branch, (202)-566-6956.

#### **SUPPLEMENTARY INFORMATION:**

U.S. Customs has for many years maintained a recordation system for copyrights, trademarks, and trade names. The owner of an intellectual property right (IPR) must present proof of registration before recordation with Customs may be effected, except in the case of trade names. After submission of the documents and information requested in Part 133 of the Customs Regulations (19 C.F.R. Part 133), the IPR is recorded and Customs sends a notice service wide to Customs personnel alerting them of the new recordation.

Customs recently automated this system. Customs field officers are now able to access a computer program which stores data concerning all copyrights, trademarks, and trade names recorded with Customs.

Additionally, the new program enables Customs to extract information and provide information to the importing community. In an effort to modernize the recordation system and assist the importing community, Customs will now provide in the CUSTOMS BULLETIN a list of new recordations. Customs intends that a list of new recordations for each calendar month will be generated and published in the CUSTOMS BULLETIN.

Concerning the list of new trademark recordations, the "Restricted" column indicates whether Customs will protect a recorded trademark against importation of Gray Market merchandise (genuinely trademarked articles not authorized for importation by the U.S. owner of the trademark). A "Y" (for Yes) in this column indicates that the trademark on that corresponding line will receive protection against the importation of Gray Market goods.

This initial publication includes a list of trademarks, copyrights, and trade names, if any, recorded with Customs since January 1, 1991, and a special one-time publication list of those trademarks recorded with Customs before 1991 which are currently receiving protection against the importation of Gray Market merchandise.

Please contact the Intellectual Property Rights Branch, Room 2104, 1301 Constitution Avenue, N.W., Washington, D.C., 20229, for corrections or updating of information regarding recorded copyrights, trademarks, or trade names.

Dated: July 3, 1991.

JOHN F. ATWOOD,

*Chief,*

*Intellectual Property Rights Branch.*

The lists of recordations follow:



07/01/91  
10:15' 36

U.S. CUSTOMS  
GREYMARKET FOR TMK

REC#	TRADEMARK OR TRADENAME
TMK 72 00127	E. M. POLLMANN GEIGENBAUMEISTER & DESIGN
TMK 73 00077	ARONITE
TMK 73 00088	ARO ARROW
TMK 74 00183	CURIOSITY SHOP
TMK 74 00144	COMPATRON
TMK 75 00009	SCHWIMM APPROVED IN CIRCLE DESIGN
TMK 75 00012	HP SPORTS TOURING
TMK 75 00013	HP LE TOUR
TMK 75 00014	SPRINT
TMK 75 00053	LE TOUR
TMK 76 00072	SUPER RECORD
TMK 76 00088	FREDDIE B. TURTLE
TMK 76 00109	BIG SOUNDER
TMK 76 00110	FLASHBRITE
TMK 77 00065	CANEBO
TMK 77 00076	HIRSBRUHNER
TMK 77 00082	RUDOLF MEINL
TMK 77 00083	SURVEYOR
TMK 78 00160	THO COLUMNS WITH FLARED ENDS (SEE CONT.)
TMK 78 00195	FREE THUN 2000
TMK 79 00001	BAY BRITCHES
TMK 79 00039	L'AVION & AIRPLANE DESIGN
TMK 79 00107	THE JEAN MACHINE AND DESIGN
TMK 80 00059	G WITH INVERTED G DESIGN
TMK 80 00159	ORGANICALLY GROHN
TMK 80 00160	CHERRY TREE DESIGN
TMK 81 00199	SNOB
TMK 82 00022	PREDATOR
TMK 82 00038	ROYAL SOUND
TMK 82 00062	THE IMAGINATION MACHINE
TMK 82 00063	APP
TMK 82 00118	MAXIMIZER
TMK 82 00146	BARONELLI & DESIGN
TMK 82 00184	ATB STYLIZED
TMK 82 00209	HINGED HEAD WITH FLOWING SCARF
TMK 82 00212	S&H MONOGRAM
TMK 82 00213	S&H
TMK 82 00214	SMITH & WESSON
TMK 83 00165	NATURAL HIGH
TMK 83 00208	ROADMASTER
TMK 83 00225	PYRAMID (2)
TMK 83 00241	TRAVELLER
TMK 84 00061	SEA OPAL
TMK 84 00087	BEE FLOWER
TMK 84 00148	AMBITION
TMK 84 00149	ARROW
TMK 84 00154	COMPUTROH
TMK 84 00155	SAMSON

OWNER NAME	EXPIRES
AVNET, INC.	19911026
B. JADOH & SONS, INC.	19920629
BARRON TRADING CORP., INC.	19920516
AMERICAN BROADCASTING CO.	19940305
BARRON TRADING CORP. INC.	19920522
SCHEINH BICYCLE CO.	19930130
SCHEINH BICYCLE CO.	19940611
SCHEINH BICYCLE CO.	19940611
SCHEINH BICYCLE CO.	19940108
SCHEINH BICYCLE CO.	19950610
SCHEINH BICYCLE CO.	19960622
AVIVA ENTERPRISES, INC.	19931218
JANEX CORPORATION	19960127
JANEX CORPORATION	19960203
AUGUSTA SEAFOODS, INC.	19960805
AMERICAN MUSICAL INSTRUMENTS CO	19970517
AMERICAN MUSICAL INSTRUMENTS CO	19930130
AMERICAN TRADING CORP	19950128
AMERICAN LUGGAGE WORKS INC	19960518
DIANE PRODUCTS, INC.	19950916
DAY BRITCHES, INC.	19970201
JEANS WEST INC.	19970308
DAY BRITCHES, INC.	19970315
GUCCI SHOPS, INC.	19981205
CARPEJA-CALIFORNIA, INC.	19940205
CARPEJA-CALIFORNIA, INC.	19950325
AMERICAN PARFUMS CORP	19960622
SCHEINH BICYCLE CO.	20020406
ROYAL SOUND CO., INC.	20011027
APF ELECTRONICS, INC.	20010512
APF ELECTRONICS, INC.	19940521
SCHEINH BICYCLE CO.	20020727
MARONELLI LTD.	20020921
C. R. ANTHONY CO.	20011117
CHANS DE BARON LTD	20020525
BANGOR PUNTA CORPORATION	19931014
BANGOR PUNTA CORPORATION	19931014
BANGOR PUNTA CORPORATION	19940203
ADVENTURE INTERNATIONAL CORP	20011124
ROYAL SOUND CO., INC.	20020907
JAZZY ELECTRONICS, INC.	19941105
SCHEINH BICYCLE CO.	20020511
ANZAC SPORTSMAN CLUB, INC.	20030816
CHINA NATIVE PRODUCTS, LIMITED	20000629
BARRON TRADING COMPANY, INC.	20040131
BARRON TRADING CO., INC.	20040131
BARRON TRADING COMPANY, INC.	20040131
SAM ASH, INC.	20031004

U.S. CUSTOMS SERVICE

07/01/91  
10:15:36

U. S. C  
GREYMARKET FOR

REC#		TRADEMARK OR /TRADENAME
TMK	84 00170	ANTHONY'S
TMK	84 00171	FAST BAK
TMK	84 00458	PREDATOR & DESIGN
TMK	84 00502	TWO CHEVRON DESIGN
TMK	85 00101	ME/RAD
TMK	85 00128	FEINHERKBAU WESTINGER & ALtenBURGER
TMK	85 00261	MESA RUNNER
TMK	85 00266	PELOTON
TMK	85 00463	AMBASSADOR
TMK	85 00464	EMBASSY
TMK	85 00531	AIR DESIGN LTD.
TMK	85 00532	DOUBLE HAPPINESS DESIGN
TMK	85 00533	BAMBU AND DESIGN
TMK	85 00537	AMDEK
TMK	85 00538	LUKER
TMK	86 00026	SCHMIHH MIRADA
TMK	86 00092	FRUTERVA
TMK	86 00158	FREE-FORM EX
TMK	86 00159	S QUALIFIER
TMK	86 00232	DESIGN
TMK	86 00233	SCHMITZ
TMK	86 00234	TRI- OVAL TRI-CALIBER
TMK	86 00235	VYAGEUR
TMK	86 00236	GREMLIN
TMK	86 00237	STREETHWISE
TMK	86 00238	TEMPO
TMK	86 00243	ASPEH & DESIGN
TMK	86 00245	ASPEH PONDER & DESIGN
TMK	86 00246	ASPEH
TMK	86 00247	ASPEH PARK & DESIGN
TMK	86 00304	JEANIER-JEANIS
TMK	86 00351	OSCAR STATUETTE
TMK	86 00374	JKUEBOX
TMK	86 00407	JEANIER SPORTSHEAR & DESIGN OF CAR
TMK	86 00620	FASHION KNITTING
TMK	86 00609	NEIKAI
TMK	86 00633	MECOA
TMK	86 00644	IDEAS
TMK	86 00645	JKUEBOX
TMK	87 00031	AN OVAL SHAPED HOLE IN MIDSECTION
TMK	87 00081	SHARP
TMK	87 00108	JEDA
TMK	87 00109	CHAMELEON
TMK	87 00111	HIGH SIERRA
TMK	87 00530	CIRCULAR ROUNDED HEAD OF A SCREW
TMK	87 00557	WEDDING BEARS
TMK	87 00609	ESLEEP
TMK	87 00619	THE ANSWER-THE ELEGANT LARGE SIZE DISCO

OWNER NAME	EXPIRES
C. R. ANTHONY CO.	20030419
C. R. ANTHONY CO.	20020713
SCHWINN BICYCLE CO.	20040124
C. R. ANTHONY CO.	20040124
SOCIETY OPTIKS	20040117
BEEMAN PRECISION ARMS, INC.	19980808
SCHWINN BICYCLE CO.	20041218
SCHWINN BICYCLE CO.	20050226
AMBASSADOR IMPORTS, LTD	20040626
AMBASSADOR IMPORTS LTD	20050604
AIR DESIGN LTD.	20050326
AIR DESIGN, LTD	20050611
BAMBU SALES, INC	20030529
ROLAND CORPORATION U.S.	20041030
ACOMAR LTD.	20050212
SCHWINN BICYCLE CO	20050604
ACOMAR, LTD	20050702
SCHWINN BICYCLE COMPANY	20050924
SCHWINN BICYCLE CO.	20050917
SCHWINN BICYCLE CO.	20050917
SCHWINN BICYCLE CO.	20050924
SCHWINN BICYCLE CO.	20050924
SCHWINN BICYCLE CO.	20050917
ABEL INDUSTRIES, INC.	19931124
ABEL INDUSTRIES, INC.	20020126
ABEL INDUSTRIES, INC.	20020126
ABEL INDUSTRIES, INC.	20030503
JEANIER, LTD.	20041204
ACADEMY OF MOTION PICTURE ART & SCIENCE	19951230
ANYHEAR, INC.	20030624
JEANIER, LTD.	20050711
ALL AMERICAN CRAFT, INC.	20051112
ARROW TRADING CO., INC.	20060916
AMBASSADOR IMPORTS, LTD.	19960914
ANYHEAR, INC.	20061113
ANYHEAR, INC.	20050924
AHSA BOTTLE CO., INC.	20061104
SHARP INTERNATIONAL CORPORATION	20060809
SCHWINN BICYCLE CO.	20060715
SCHWINN BICYCLE CO.	20060722
SCHWINN BICYCLE CO.	20060729
ATTWOOD CORPORATION	20070728
AMERICANA TRADING INC	20050625
BENTLEY LINGERIE, INC.	20060819
OU VIRGINIA SPECIALTY STORES, INC.	20060506

07/01/91  
10:15:36

U.S. C  
GREYMARKET FOR

REC#	TRADEMARK OR /TRADENAME
TMK 87 00627	NATURE'S FARM
TMK 87 00629	HERKULES
TMK 88 00011	B & H
TMK 88 00016	BRITISH KNIGHTS
TMK 88 00058	DONNA MARIA
TMK 88 00352	RED & GREEN MARKERS IN ROPE
TMK 88 00420	TABOO AND DESIGN
TMK 88 00424	SAFEGUARD
TMK 88 00566	VIVRE
TMK 88 00567	CRAZY BONE
TMK 88 00568	ANCHOR BLUE
TMK 88 00620	TAXI
TMK 88 00643	HERDEZ
TMK 88 00644	ORANGE COLORED ROPE WITH RED AND GREEN
TMK 88 00653	G WITH INVERTED G DESIGN
TMK 89 00018	B STYLIZED
TMK 89 00019	AMERICAN LEAGUE & DESIGN
TMK 89 00020	NATIONAL LEAGUE & DESIGN
TMK 89 00021	KC STYLIZED
TMK 89 00022	ROYALS & DESIGN
TMK 89 00023	TC STYLIZED
TMK 89 00024	T STYLIZED
TMK 89 00025	SD STYLIZED
TMK 89 00026	INDIAN DESIGN
TMK 89 00027	BASEBALL & SOX DESIGN
TMK 89 00028	MB STYLIZED
TMK 89 00029	OAKLAND A'S ATHLETICS
TMK 89 00030	A'S STYLIZED
TMK 89 00031	ALL STAR GAME
TMK 89 00032	PHILLIES STYLIZED
TMK 89 00033	P STYLIZED
TMK 89 00034	PIRATES & DESIGN
TMK 89 00035	P STYLIZED
TMK 89 00036	PIRATES DESIGN
TMK 89 00038	A STYLIZED
TMK 89 00039	BALTIMORE ORIOLES & DESIGN
TMK 89 00040	BALTIMORE ORIOLES DESIGN
TMK 89 00041	CUBS & DESIGN
TMK 89 00042	C STYLIZED
TMK 89 00043	SOX CHICAGO WHITE SOX & DESIGN
TMK 89 00044	A STYLIZED
TMK 89 00045	A STYLIZED
TMK 89 00047	ASTROS & DESIGN
TMK 89 00048	DETROIT TIGERS & DESIGN
TMK 89 00049	D STYLIZED
TMK 89 00050	DODGERS & DESIGN
TMK 89 00051	LA STYLIZED
TMK 89 00052	STL STYLIZED

U.S. CUSTOMS SERVICE

OWNER NAME	EXPIRES
NATURE'S FARM PRODUCTS	19971129
GROBET FILE CO., OF AMERICA, INC	19930826
J. ATKINS HOLDINGS LIMITED	20061202
JACK SCHWARTZ SHOES, INC.	20050312
FESTIN FOODS CORP.	19970405
AMERICAN MANUFACTURING CORP	20080301
JAKO, INC	20051210
JAE SUNG CHANG D/B/A PACIFIC SEC	20071117
HUB DISTRIBUTING, INC.	20080223
HUB DISTRIBUTING INC.	20080202
HUB DISTRIBUTING INC.	20020904
MICHAEL ANDERSONDBA UNIQUE ADVER	20070512
FESTIN FOODS CORP.	20030416
AMERICAN MANUFACTURING CORP.	20080301
GUCCI SHOPS, INC.	19981205
BOSTON RED SOX BASEBALL CLUB	20030329
AMERICAN LEAGUE	20050933
NATIONAL LEAGUE	20020829
KANSAS CITY ROYALS BASEBALL CORP	20021119
KANSAS CITY ROYALS BASEBALL CORP	19960302
MINNESOTA TWINS, INC.	20020928
TEXAS RANGERS, LTD.	20040121
SAN DIEGO NATIONAL LEAGUE BASEBA	20030308
CLEVELAND INDIANS CO	19960127
BOSTON RED SOX BASEBALL CLUB	19960720
MILWAUKEE BREWERS BASEBALL CLUB	20031227
OAKLAND ATHLETICS BASEBALL CO	20040221
OAKLAND ATHLETICS BASEBALL CO	20040221
OFFICE OF COMMISSIONER OF BALL	20040717
PHILLIES	19960713
PITTSBURGH ASSOCIATES	20021026
PITTSBURGH ASSOCIATES	19960601
PITTSBURGH ASSOCIATES	20030118
PITTSBURGH ASSOCIATES	19960127
ATLANTA NATIONAL LEAGUE BASEBALL	20031004
BALTIMORE ORIOLES, INC.	19960706
BALTIMORE ORIOLES, INC.	20021026
CHICAGO NATIONAL LEAGUE BALL CLU	19960706
CHICAGO NATIONAL LEAGUE BALL CLU	20040925
CHICAGO WHITE SOX, LIMITED	20040228
GOLDEN WEST BASEBALL COMPANY	20060909
GOLDEN WEST BASEBALL COMPANY	20030329
HOUSTON SPORTS ASSOCIATION, INC.	19990306
JOHN E. FETZER, INC.	19950930
JOHN E. FETZER, INC.	20021130
LOS ANGELES DODGERS, INC.	19960113
LOS ANGELES DODGERS, INC.	20030208
ST. LOUIS NATIONAL BASEBALL CLUB	20021102

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10:15:36

U.S. CUSTOM  
GREYMARKET FOR TMK /

REC#	TRADEMARK OR /TRADENAME	ON
TMK 89 00053	CARDINAL DESIGN	SI
TMK 89 00054	GIANTS & BASEBALL DESIGN	SI
TMK 89 00055	GIANTS & BASEBALL DESIGN	SI
TMK 89 00056	SF STYLIZED	SI
TMK 89 00059	REDS	CI
TMK 89 00060	REDS	CI
TMK 89 00061	REDS	CI
TMK 89 00062	C STYLIZED	CI
TMK 89 00063	NY STYLIZED	NO
TMK 89 00064	METS IN CIRCLE DESIGN	DO
TMK 89 00065	NY STYLIZED	HE
TMK 89 00066	YANKEES WITH DESIGN	CU
TMK 89 00067	CLEVELAND INDIANS	MA
TMK 89 00068	MAJOR LEAGUE BASEBALL & DESIGN	MA
TMK 89 00069	MAJOR LEAGUE BASEBALL & DESIGN	MA
TMK 89 00070	MAJOR LEAGUE BASEBALL DESIGN	MA
TMK 89 00071	MAJOR LEAGUE BASEBALL DESIGN	MA
TMK 89 00072	MAJOR LEAGUE BASEBALL DESIGN	MA
TMK 89 00073	MAJOR LEAGUE BASEBALL & DESIGN	MA
TMK 89 00103	LITTLE LINDA	AL
TMK 89 00172	ARISTO	AR
TMK 89 00173	OLEG CASSINI	OU
TMK 89 00232	RIO BY STEPHEN MARDON AND DESIGN	AN
TMK 89 00322	ACC AND DESIGN	HU
TMK 89 00397	BEACH BLVD.	BA
TMK 89 00425	BANTAM	SC
TMK 89 00487	PARIS BRAND AND DESIGN	GO
TMK 89 00498	MADISON	MB
TMK 89 00562	A STYLIZED AND DESIGN	SE
TMK 89 00563	MILWAUKEE BREWERS AND DESIGN	AN
TMK 89 00564	BOSTON RED SOX DESIGN	OR
TMK 89 00565	STYLIZED M'S AND DESIGN	AN
TMK 89 00651	AMDEK	AN
TMK 89 00688	WORLD SERIES GAME	AN
TMK 90 00112	AMBASSADOR	AN
TMK 90 00223	PRO CIRCUIT	SC
TMK 90 00224	TYphoon	SC
TMK 90 00225	TORNADO	SC
TMK 90 00226	HURRICANE	SC
TMK 90 00227	DURA-COMP	SC
TMK 90 00230	PARAMOUNTAIN	SC
TMK 90 00231	MAXIMIZER AND DESIGN	SC
TMK 90 00232	PROGRESS	SC
TMK 90 00233	SCHMIDT QUALITY DESIGN	SC
TMK 90 00234	LIL' MISS	SC
TMK 90 00235	PRELUDER	SC
TMK 90 00236	QUATERDASH	SC
TMK 90 00237	RAM'S HORN DESIGN	SC

OWNER NAME	EXPIRES
L. LOUIS NATIONAL BASEBALL CLUB	19960115
SAN FRANCISCO BASEBALL CLUB	20050115
SAN FRANCISCO BASEBALL CLUB	20050611
SAN FRANCISCO BASEBALL CLUB	20030329
CINCINNATI REDS	20000115
CINCINNATI REDS	20001223
CINCINNATI REDS	20001223
CINCINNATI REDS	20001228
DOUBLEDAY SPORTS, INC.	20031220
DOUBLEDAY SPORTS, INC.	19960113
NEW YORK YANKEES	20011222
NEW YORK YANKEES	19960210
CLEVELAND INDIANS BASEBALL CO.	20040731
MAJOR LEAGUE BASEBALL PROMOTION	19961228
MAJOR LEAGUE BASEBALL PROMOTION	19970125
MAJOR LEAGUE BASEBALL PROMOTION	19961228
MAJOR LEAGUE BASEBALL PROMOTION	19961228
MAJOR LEAGUE BASEBALL PROMOTION	19970125
MAJOR LEAGUE BASEBALL PROMOTION	19961228
LMAR SALES CO., INC.	20030802
RISTO IMPORT CO., INC.	19920111
ILEG CASSINI, INC.	20050409
ACADIA ENTERPRISES, INC.	20060114
AMERICAN CUT CRYSTAL	20010428
AM DISTRIBUTING, INC.	20040626
ANTAM COLLECTIONS, INC.	19910828
ASHATI RICE IMPORTS INC.	20080621
CHHINN BICYCLE CO.	20061111
OLDEN WEST BASEBALL CO.	20090502
WISCONSIN BREWERS BASEBALL CLUB	20090613
BOSTON RED SOX BASEBALL CLUB	20090314
SEATTLE MARINERS	20090627
MDEX CORPORATION	20020817
FFICE OF THE COMMISSIONER	20000129
AMBASSADOR IMPORTS, LTD	20090709
CHHINN BICYCLE CO.	20070707
CHHINN BICYCLE CO.	20080928
CHHINN BICYCLE CO.	20080217
CHHINN BICYCLE CO.	20080217
CHHINN BICYCLE CO.	20090131
CHHINN BICYCLE CO.	20070707
CHHINN BICYCLE CO.	20080913
CHHINN BICYCLE CO.	20090103
CHHINN BICYCLE CO.	20090404
CHHINN BICYCLE CO.	20071107
CHHINN BICYCLE CO.	20090117
CHHINN BICYCLE CO.	20070707
CHHINN BICYCLE CO.	20080206

07/01/91  
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U.S. CUSTOM  
GREYMARKET FOR TMK A

REC#	TRADEMARK OR /TRADENAME		
TMK 90 00238	MINI-THINN	SC	SC
TMK 90 00239	1/4 DASH	SC	SC
TMK 90 00240	YO! SCOOTER	SC	SC
TMK 90 00241	RUN-A-BOUT	SC	SC
TMK 90 00330	ANCHOR BLUE-1	HU	HU
TMK 90 00392	BUDWEISER LABEL DESIGN	AN	AN
TMK 90 00393	BUDWEISER-1	BU	BU
TMK 90 00394	PRONENADE	CA	CA
TMK 90 00430	CACHAREL	CA	CA
TMK 90 00465	L.A. GEAR	LI	LI
TMK 90 00466	L.A. GEAR AND DESIGN	LI	LI
TMK 90 00502	BOLLE	BO	BO
TMK 90 00503	VERMILION	BO	BO
TMK 90 00504	BOLLE PC	BO	BO
TMK 90 00505	WORTH PROTECTING. WORTH BOLLE	BO	BO
TMK 90 00506	MAURICE BOLLE	BO	BO
TMK 90 00507	BOLLE (AND CROWN)	BO	BO
TMK 90 00508	BOLLE	JO	JO
TMK 90 00509	BARESI-1	FI	FI
TMK 90 00526	CAFE AND DESIGN-1	FO	FO
TMK 90 00593	FORMULA AND DESIGN	ME	ME
TMK 90 00616	I.O.U.	RO	RO
TMK 90 00617	R LOGO	IN	IN
TMK 90 00627	DATA MATE ORGANIZER BOOK	FO	FO
TMK 90 00628	KNIGHTS OF ROUND TABLE AND DESIGN	EL	EL
TMK 90 00629	KNIGHTS OF ROUND TABLE	AM	AM
TMK 90 00653	LUNKER LIGHTS	EL	EL
TMK 90 00667	EL DANTE	EL	EL
TMK 90 00675	NORTH CASTLE	NO	NO

MS SERVICE  
AND TNM RECORDATIONS

PAGE 5  
DETAIL

OWNER NAME	EXPIRES
CHIHN BICYCLE CO.	20080206
CHIHN BICYCLE CO.	20070922
CHIHN BICYCLE CO.	20070922
CHIHN BICYCLE CO.	20080730
UB DISTRIBUTING, INC.	20000327
NHEUSER-BUSCH INCORPORATED	20060819
NHEUSER-BUSCH, INCORPORATED	20060722
UCK BAILES, INC.	20071103
ACHAREL U.S.A., INC.	20020511
A.GEAR, INC.	20090627
A.GEAR, INC.	20090802
OLLE AMERICA INC.	19980613
OLLE AMERICA INC.	20091024
OLLE AMERICA INC.	20080614
OLLE AMERICA INC.	20080329
OLLE AMERICA INC.	20080315
OLLE AMERICA INC.	20060121
OLLE AMERICA INC.	20050305
OSEPH RUTIGLIANO & SONS, INC.	20050528
INES FRAGRANCES, INC.	20011117
ORMULA VENTURES (PARTNERSHIP)	20000605
ERRY-GO-ROUND ENTERPRISES	20051022
ROYAL SOUND CO., INC.	20020727
INTERNATIONAL MERCHANDISERS INC.	20000626
ORIA INTERNATIONAL, INC.	20051008
ORIA INTERNATIONAL, INC.	20050625
AMERICAN CYANAMID COMPANY	20050611
L DANIES SHOES CORPORATION	19991205
ORSLEND FOODS INC.	20070512

U.S. CUSTOMS SERVICE

06/26/91  
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U.S. CUS  
IPR RECORDATIONS

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNM
COP	91 00001	19910107	20110107	TOP GUN
	91 00002	19910108	20110108	SPICE JAR (PARSLEY)
	91 00003	19910108	20110108	SPICE JAR (NUTMEG)
	91 00004	19910112	20110112	SPICE JAR - BASIL
	91 00005	19910112	20110112	SPICE JAR - GINGER
	91 00006	19910112	20110112	SPICE JAR - PAPRIKA
	91 00007	19910114	20110114	CASTLEVANIA THE ADVENTURE
	91 00008	19910114	20140114	DOUBLE DRIBBLE
	91 00009	19910114	20110114	BOTTOM OF THE NINTH
	91 00010	19910114	20110114	MOP 14-GIRAFFES
	91 00011	19910114	20110114	MOP 31-CLOTHES
	91 00012	19910114	20110114	MOP 11- DUCKS
	91 00013	19910114	20110114	MOP 90-TURTLES
	91 00014	19910114	20110114	MOP 75-BUTTERFLIES
	91 00016	19910115	20110115	ALIENS
	91 00017	19910115	20110115	JACKAL
	91 00018	19910115	20110115	LIGHTNING FIGHTERS
	91 00019	19910115	20110115	MOP 19 - LIONS
	91 00020	19910115	20110115	MOP 48-TIGERS
	91 00021	19910115	20110115	MOP 15 - ANGEL FISH
	91 00022	19910123	20110123	MONSOON
	91 00023	19910123	20110123	TERROR TOAD THE FUN L
	91 00024	19910123	20110123	NFL FOOTBALL
	91 00025	19910123	20110123	CASTLEVANIA
	91 00026	19910125	20110125	GEORGIAH - DOLPHIN STYL
	91 00027	19910125	20110125	GEORGIAH- DOLPHIN STYL
	91 00028	19910125	20110125	GEORGIAH- DOLPHIN STYL
	91 00029	19910125	20110125	GEORGIAH- DOLPHIN STYL
	91 00030	19910125	20110125	GEORGIAH- DOLPHIN STYL
	91 00031	19910131	20110131	HUGGERMUGGER
	91 00032	19910131	20110131	BUNNIKIN UD3118
	91 00033	19910131	20110131	AMI 568 BIOS
	91 00034	19910131	20110131	AMI SEEKS
	91 00035	19910131	20110131	AMI GRAPHICS BIOS FOR
	91 00036	19910131	20110131	SHARKEY BOTTLE OPENER
	91 00037	19910131	20110131	AMI VGA BIOS
	91 00038	19910131	20110131	BASIC INPUT OUTPUT SY
	91 00039	19910131	20110131	AMI BIOS FOR PC/XT CO
SUBTOTAL RECORDATION TYPE				38
TMK	91 00002	19910112	20001002	SISLEY
	91 00003	19910112	20000929	BRASS BOOT
	91 00004	19910112	20090117	BLUE-RED-BLUE STRIPE
	91 00005	19910112	20061125	HERF
	91 00006	19910114	19940105	DIPROSONE
	91 00007	19910114	20000213	MN
	91 00008	19910114	20080906	ALDA HM-40

STOMS SERVICE  
ADDED IN JANUARY 1991

PAGE 1  
DETAIL

1 OR MSK

OWNER NAME

RESTRICTD

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TURE

LOVING FROG ON SKATE

TYLE IRON END TABLE

LE COFFEE/TEA TABLE

LE IRON 3 SEAT BENCH

LE IRON 3 SEAT BENCH

LE IRON 2 SEAT BENCH

KOHALI INC.  
LEHOX, INCORPORATED  
LEHOX INCORPORATED  
LEHOX, INCORPORATED  
LEHOX, INCORPORATED  
LEHOX, INCORPORATED  
KOHALI, INC.  
KOHALI, INC.  
KOHALI INC.  
SAINDYLION PAPER DESIGNS DIVISION  
KOHALI INC.  
KOHALI INC.  
SAINDYLION PAPER DESIGNS DIVISION  
SAINDYLION PAPER DESIGN DIVISION  
SAINDYLION PAPER DESIGNS DIVISION  
TYCO INDUSTRIES, INC.  
HIP YICK INTERNATIONAL, INC.  
KOHALI INC.  
KOHALI INC.  
STEVEN LECON  
STEVEN LECON  
STEVEN LECON  
STEVEN LECON  
STEVEN LECON  
THE HUGGERMUGGER COMPANY, L.P.  
SHIHL INTERNATIONAL, INC.  
AMERICAN MEGATRENDS, INC.  
AMERICAN MEGATRENDS, INC.  
AMERICAN MEGATRENDS, INC.  
COOL PRODUCTS CORPORATION  
AMERICAN MEGATRENDS, INC.  
AMERICAN MEGATRENDS, INC.  
AMERICAN MEGATRENDS, INC.

EGA COMPATIBLE

SYSTEM FOR IBM PC/AT

COMPATIBLE COMPUTER

DESIGN

BENETTON GROUP S.P.A.  
NUNN BUSH SHOE COMPANY  
GUCCI AMERICA, INC.  
TONKA CORPORATION  
SCHERING CORPORATION  
MARCHE NOIR, INC.  
ALDILA, INC.

CUSTOMS BULLETIN AND DECISIONS, VOL. 25, NO. 29, JULY 17, 1991

06/26/91  
11:55:15

U.S. CUSTOMS  
IPR RECORDATIONS

REL #		EFF DT	EXP DT	NAME OF COP, TMK, TNM
TMK	91 00009	19910114	19960106	ALDILA
	91 00010	19910114	20000116	BABY DON'T CRY
	91 00011	19910115	20031129	PER-FORMS
	91 00012	19910114	20030909	PAUL MITCHELL HAIR SCULPTURE
	91 00013	19910114	20040417	PAUL MITCHELL THE SOLUTOR
	91 00014	19910114	20070625	FREEZE AND SHINE
	91 00015	19910115	20090808	B. BERTOLUCCI AND DESIGN
	91 00016	19910115	20011110	CARLOS I
	91 00017	19910122	19960217	SPARTUS
	91 00018	19910122	20001106	MISCELLANEOUS DESIGN
	91 00019	19910123	20060926	HARLEY
	91 00020	19910123	19990210	SPARTUS
	91 00021	19910123	20000619	COOLMATE
	91 00022	19910125	20090809	BULOVA
	91 00023	19910125	20070203	DEER
	91 00024	19910129	20080301	S-STAR-STARTER LOGO
	91 00025	19910129	20081011	STARTER
	91 00026	19910129	20011027	STARTER
	91 00027	19910131	20050702	PERUGINA
	91 00028	19910131	20040407	PERUGINA AND DESIGN

SUBSIDIARY RECORDATION TYPE

27

TOTAL RECORDATIONS ADDED THIS MONTH

65

TOMS SERVICE  
ADDED IN JANUARY 1991

PAGE 2  
DETAIL

OR MSK	OWNER NAME	RESTRICTD
ULPTING LOTION UTION AND DESIGN GN	ALDILA, INC.	N
	PAUL MITCHELL SYSTEMS	N
	PAUL & GLORIA HINSTON DBA	N
	PAUL MITCHELL SYSTEMS	N
	BERTOLUCCI SA	N
	PEDRO DOMECQ, S.A.	N
	SPARTUS CORPORATION	Y
POHERNAIL COMPANY	N	
HARLEY-DAVIDSON, INC.	N	
SPARTUS CORPORATION	Y	
FEDDERS NORTH AMERICA, INC.	N	
BULOVA CORPORATION	Y	
WESTERN OVERSEAS TRADE & DEVELOP	Y	
STARTER CORPORATION	Y	
STARTER CORPORATION	Y	
SOCIETE DES PRODITS NESTLE S.A.	N	
SOCIETE DES PRODITS NESTLE S.A.	N	

U.S. CUSTOMS SERVICE

06/26/91  
11:35:39

U.S. CUSTOMS  
IPR RECORDATIONS ADDE

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNM OR
1	COP	91 00060	19910201	20110201
91	00061	19910201	20110201	FERN
91	00062	19910201	20110201	SHEHANDOAH 672
91	00063	19910201	20110201	ELIZABETH PAISLEY
91	00064	19910206	20110206	SHEHANDOAH 602
91	00065	19910206	20110206	BABY FACE SO INNOCENT CY
91	00066	19910206	20110206	BABY FACE; SO SHY SHERRI
91	00067	19910206	20110206	BABY FACE; SO INNOCENT CY
91	00068	19910206	20110206	BABY FACE; SO SURPRISED SU
91	00069	19910206	20110206	BABY FACE; SO FUH NATALIE
91	00070	19910206	20110206	BABY FACE; SO HAPPY HEIDI
91	00050	19910206	20110206	BABY FACE; SO PLAYFUL PE
91	00051	19910206	20110206	BABY FACE; SO DELIGHTFUL
91	00052	19910206	20110206	BABY FACE; SO SWEET SANDI
91	00053	19910206	20110206	BABY FACE; SO SORRY SARAH
91	00054	19910207	20110207	BACHATA ROSA
91	00055	19910207	20110207	ESTRELLITAS Y DUENDES
91	00056	19910207	20110207	BURBUJAS DE AMOR
91	00057	19910207	20110207	COMO ABEJA AL PANAL
91	00058	19910207	20110207	LA BILIRUBINA
91	00059	19910225	20110225	BONNIE SUE
91	00060	19910225	20110225	THE FARMER SAYS - SEE N S
91	00061	19910225	20110225	RAI DEN
91	00062	19910225	20110225	MAGIC NURSERY NEWBORN DO
91	00063	19910226	20110226	TEENAGE MUTANT NINJA TURT
91	00064	19910228	20110227	TOY FIGURE
91	00065	19910228	20110227	POLICE MOTORCYCLE
91	00066	19910228	20110227	CLOWN B
91	00067	19910228	20110227	CLOWN A
91	00068	19910228	20110227	COLT
91	00069	19910228	20110227	CROSS-COUNTRY MOTORCYCLE
91	00070	19910228	20110227	HOST
91	00071	19910228	20110227	POLAR LABORATORY
91	00072	19910228	20110227	SCOUT
91	00073	19910228	20110227	HELICOPTER
91	00074	19910228	20110227	KNIGHT
91	00075	19910228	20110227	POLICEMAN
91	00076	19910228	20110227	GOLDMINER B
91	00077	19910228	20110227	CLOWN C
91	00078	19910228	20110227	CHIMPANZEE
91	00079	19910228	20110227	CARNIFEX MITH VENDOR'S TR
91	00080	19910228	20110227	THO CHILDREN MITH SHOHMA
91	00081	19910228	20110227	GOLDMINER C
91	00082	19910228	20110227	PIRATE
91	00083	19910228	20110227	GOLDMINER A
91	00084	19910228	20110227	PONY

SUBTOTAL RECORDATION TYPE

45



06/26/91  
11:36:39

U.S. CUSTOMS  
IPR RECORDATIONS ADD

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNN OR
TMK	91 00029	19910207	20050709	DATELINE
	91 00030	19910207	20000828	INTEGRA
	91 00031	19910207	20070825	BALLOON FIGHT
	91 00032	19910207	20071214	URBAN CHAMPION
	91 00033	19910207	20071201	ICE CLIMBER
	91 00034	19910207	20050611	JOB WITH DESIGN
	91 00035	19910207	20070725	SUP-AIR
	91 00036	19910207	20050827	JOB WITH DESIGN
	91 00037	19910207	20090316	JOB
	91 00038	19910207	20000123	EMPORIO ARMANI & DESIGN
	91 00039	19910207	20000613	LAUDER'S
	91 00040	19910207	20051001	RALPH LAUREN & SYMBOL
	91 00041	19910207	20080524	RALPH LAUREN & SYMBOL
	91 00042	19910207	20070728	RALPH LAUREN
	91 00043	19910207	20070714	RALPH LAUREN & SYMBOL
	91 00044	19910207	20070728	RALPH LAUREN
	91 00045	19910207	20061007	RALPH LAUREN
	91 00046	19910207	20070714	POLO PLAYER SYMBOL
	91 00047	19910207	20070721	POLO PLAYER SYMBOL
	91 00048	19910207	20070721	POLO PLAYER SYMBOL
	91 00049	19910207	20070630	RALPH LAUREN
	91 00050	19910208	20090520	LOTUS AGENDA
	91 00051	19910208	20071208	AGENDA OR AJENDA
	91 00052	19910208	20061206	PERGONAL
	91 00053	19910208	20081115	GEREF
	91 00054	19910208	19970904	LUCKY STRIKE
	91 00055	19910208	20000406	PALL MALL
	91 00056	19910208	20030927	CARLTON
	91 00057	19910208	19960417	TAREYTON
	91 00058	19910208	20090314	273 STYLIZED
	91 00059	19910208	20090314	FH BEVERLY HILLS IN BLO
	91 00060	19910208	20090314	FRED HAYMAN BEVERLY HILL
	91 00061	19910211	20000904	273 STYLIZED
	91 00062	19910211	20090314	FRED HAYMAN BEVERLY HILL
	91 00063	19910211	20090404	FH INTERLOCKING LETTERS
	91 00064	19910211	20081015	GOLD STYLIZED
	91 00065	19910214	20081025	CARESSA IN SCRIPT
	91 00066	19910214	20080625	S.R.O.
	91 00067	19910214	20080625	S.R.O.
	91 00068	19910214	20080712	ALLURE STYLIZED
	91 00069	19910214	20000731	PRESTIGE
	91 00070	19910214	20000619	PAUL MITCHELL THE WAVE C
	91 00071	19910214	19921010	1001 NIGHTS
	91 00072	19910214	19940910	ARTMATIQUE
	91 00073	19910214	19950218	SERENA
	91 00074	19910214	20060520	WET LIPS
	91 00075	19910214	20090314	ARTMATIC U.S.A.
	91 00076	19910214	20090516	TROPEZ IN SCRIPT

R MSK	OWNER NAME	RESTRICTD
	COLUMBIAN ART WORKS, INC.	N
	U S WEST ENTERPRISES, INC.	Y
	NINTENDO OF AMERICA INC.	N
	NINTENDO OF AMERICA INC.	N
	BOLLORE TECHNOLOGIES, INC.	N
	BOLLORE TECHNOLOGIES, INC.	N
	BOLLORE TECHNOLOGIES, INC.	N
	BOLLORE TECHNOLOGIES, INC.	N
	G. A. MODEFINE S.A.	N
	ARCHIBALD LAUDER & COMPANY, LTD	N
	POLO RALPH LAUREN CORPORATION	N
	POLO RALPH LAUREN CORPORATION	N
	POLO RALPH LAUREN CORPORATION	N
	POLO RALPH LAUREN CORPORATION	N
	POLO FASHIONS, INC.	N
	POLO FASHIONS, INC.	N
	POLO RALPH LAUREN CORPORATION	N
	POLO FASHIONS, INC.	N
	POLO FASHIONS, INC.	N
	POLO RALPH LAUREN CORPORATION	N
	LOTUS DEVELOPMENT CORPORATION	N
	LOTUS DEVELOPMENT CORPORATION	N
	ARES TRADING S.A., JOINT-STOCK	N
	ARES TRADING S.A., JOINT-STOCK	N
	AMERICAN TOBACCO COMPANY	N
	FRED HAYMAN BEVERLY HILLS, INC.	N
	FRED HAYMAN BEVERLY HILLS, INC.	N
	FRED HAYMAN BEVERLY HILLS, INC.	N
	FRED HAYMAN BEVERLY HILLS, INC.	N
	FRED HAYMAN BEVERLY HILLS, INC.	N
	FRED HAYMAN BEVERLY HILLS, INC.	N
	GOLD FOOTHEAR CORPORATION	N
	CARESSA, INC.	N
(AND DESIGN)	JOHN PAUL MITCHELL SYSTEMS	N
	ARTHUR MATNEY COMPANY, INC.	N
	ARTHUR MATNEY COMPANY, INC.	N
	ARTHUR MATNEY COMPANY, INC.	N
	ARTHUR MATNEY COMPANY, INC.	N
	ARTHUR MATNEY COMPANY, INC.	N
	ARTHUR MATNEY COMPANY, INC.	N

U.S. CUSTOMS SERVICE

06/26/91  
11:36:39

U.S. CUSTOMERS  
IPR RECORDATIONS ADDED

RECB	EFF DT	EXP DT	NAME OF COP, TMK, TNN OR
TMK 91 00077	19910222	20050409	FLEXON
91 00078	19910225	20060603	FULLMARK & DESIGN
91 00079	19910225	19950715	MISCELLANEOUS DESIGN
91 00080	19910225	20090207	BATTERY HATCH
91 00081	19910225	20071013	HEAVEN SENT
91 00082	19910225	20089802	DESIGN FOR BEVERAGE CONT
91 00083	19910225	20001009	PASSION PRIVEE
91 00084	19910226	20001211	MISCELLANEOUS DESIGN
91 00085	19910226	20000904	MONKEY DESIGN
91 00086	19910226	20000102	DEGREE
91 00087	19910226	19940924	RAINBOW
91 00088	19910226	20050409	SCHMITT SOHNE
91 00089	19910226	20000925	S-STAR-LOGO
91 00090	19910226	20020928	S-STAR-LOGO
91 00091	19910226	20080216	CONTOUR OF A VACUUM CLEA
91 00092	19910226	20090425	MONOPOLY
91 00093	19910226	20090516	ORAL-MOIST
91 00094	19910226	20010115	VULCAN
91 00095	19910226	20090509	PRO-FLOW
91 00096	19910228	20080531	CONVERSE ALL STAR CHUCK
91 00097	19910228	20080607	EVOLO
91 00098	19910228	20080621	CONS

SUBTOTAL RECORDATION TYPE 70

TOTAL RECORDATIONS ADDED THIS MONTH 115

MS SERVICE  
DED IN FEBRUARY 1991

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DETAIL

R MSK	OWNER NAME	RESTRICTD
	FLEXON S.A.	N
	FULLMARK PTE. LTD.	N
	R. D. WERNER CO., INC.	N
	TRAVELLING SOFTWARE, INC.	N
	HELENA RUBENSTEIN, INC.	N
	VISION 2000 (S.A.) INC.	N
	ESMARK APPAREL, INC.	Y
	SEARS, ROEBUCK & COMPANY	N
	MONKEY HOLDING PEACH BRAND	N
	HELENE CURTIS, INC.	N
	REXAIR, INC.	N
	H. SCHMITT SOEHNE, INC.	N
	STARTER CORPORATION	Y
	STARTER CORPORATION	Y
	REXAIR, INC.	N
	TONKA CORPORATION	N
	INTERSTATE DRUG CORPORATION	N
	VULCAN FOUNDRY, INC.	N
	INTERSTATE DRUG CORPORATION	N
	CONVERSE INC.	N
	CONVERSE INC.	N
	CONVERSE INC.	N

CUSTOMS BULLETIN AND DECISIONS, VOL. 25, NO. 29, JULY 17, 1991

06/28/91  
09:43:02

U.S. CUSTOMS  
IPR RECORDATIONS

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNM
COP	91 00085	19910304	20110304	GOLDSTAR SUPER KEYBOARD
	91 00086	19910304	20110304	GOLDSTAR LT KEYBOARD B
	91 00087	19910304	20110304	GOLDSTAR SUPER RON B
	91 00088	19910307	20110307	BIGHORN SHEEP
	91 00089	19910307	20110307	SOUND GENERATING TOY A
	91 00090	19910307	20110307	SOUND GENERATING TOY H
	91 00092	19910318	20110318	DR DOS, RELEASE 3.41
	91 00093	19910318	20110318	IPX PS2 MICRO CHANNEL
	91 00094	19910321	20110321	ERSO-PC-BIOS V2.1
	91 00095	19910321	20110321	ERSO MCP-BIOS V3.21
	91 00096	19910321	20110321	ERSO PC400 BIOS (VERS)
	91 00097	19910321	20110321	ERSO EGA BIOS V1.1
	91 00098	19910321	20110321	ERSO MULTIX BIOS (BASIC)
	91 00099	19910322	20110322	GEORGIAN-LARGE FRAME

SUBTOTAL RECORDATION TYPE 14

TMK	91 00099	19910304	20041113	SQUIER
	91 00100	19910304	20031108	FENDER IN SCRIPT
	91 00101	19910304	19990807	J BASS
	91 00102	19910304	19970405	P BASS
	91 00103	19910304	19970208	STRAT
	91 00104	19910304	19970208	TELE
	91 00105	19910305	20070303	GOOSE DESIGN
	91 00106	19910305	20070303	GOOSE DESIGN
	91 00107	19910306	20081004	GOOSE DESIGN
	91 00108	19910307	20060128	POP ROCKS
	91 00109	19910307	20060923	BRAZA
	91 00110	19910307	20081122	THERMAFIL
	91 00111	19910312	20000905	PROTO
	91 00112	19910312	20070224	CENTERFIELD
	91 00113	19910312	20041225	HEALTHMASTER
	91 00114	19910312	19971213	METAL FASTENERS
	91 00115	19910312	20090606	DESKLINK
	91 00116	19910312	20040226	LEX AND GLOBE DESIGN A
	91 00117	19910312	20050413	SMARTIES
	91 00118	19910312	20040630	GH AND DESIGN
	91 00119	19910312	20001124	PEDRO DOMECA VENERABLE
	91 00120	19910312	200000501	FEDRAL PACIFIC ELECTRIC
	91 00121	19910318	20090822	THE TURTLE'S NECK
	91 00122	19910318	20050212	REMINGTON
	91 00123	19910318	20090404	FAT BIRDS DON'T FLY
	91 00124	19910318	20031011	HOFBRAU BAVARIA
	91 00125	19910321	20071107	SNAP-LOCK
	91 00126	19910321	20001123	PANASONIC

SUBTOTAL RECORDATION TYPE

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TOMS SERVICE  
ADDED IN MARCH 1991

PAGE 1  
DETAIL

OR MSK	OWNER NAME	RESTRCTD
RD BIOS	GOLDSTAR COMPANY, LIMITED	N
BIOS	GOLDSTAR COMPANY, LTD.	N
OS	GOLDSTAR COMPANY, LTD.	N
AX	LEHOX INC.	N
HAMMER	FUKUDA CORPORATION & AMPEQ ETC.	N
AL SCSI ADAPTER MICR	FUKUDA CORPORATION & AMPEQ ETC.	N
ION 1.0)	DIGITAL RESEARCH INC.	N
IC INPUT/OUTPUT SYS	INTERNATIONAL BUSINESS MACHINES	N
	INDUSTRIAL TECHNOLOGY RESEARCH	N
	LENOX, INCORPORATED	N

U.S. CUSTOMS SERVICE

FENDER MUSICAL INSTRUMENTS CORP.	N
FENDER MUSICAL INSTRUMENTS	N
MOLSON BREWERY	N
MOLSON BREWERY	N
MOLSON BREWERY	N
KRAFT GENERAL FOODS, INC.	N
BRAZABRA CORPORATION	N
TDP, INC.	N
THE STANLEY WORKS	N
NEW BOYS, INC.	N
ROADMASTER CORPORATION	N
MEDALIST INDUSTRIES, INC.	N
TRAVELING SOFTWARE, INC.	N
LALOO INTERNATIONAL, INC.	N
CEDE CANDY, INC.	N
EMHART INDUSTRIES, INC.	N
PEDRO DOMEQ, S.A.	N
AMERICAN CIRCUIT BREAKER	N
BRYSTIE INC.	N
REMINGTON ARMS CO. INC.	N
JUSTAMERE ASSOCIATES, INC.	N
HANS HOUTERBOSCH, INC.	N
THE QUAKER OATS COMPANY	N
MATSUSHITA ELECTRIC INDUSTRIAL	N

06/26/91  
11:37:57

U.S. CUSTOMS  
IPR RECORDATIONS

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNM OR
COP	91 00101	19910405	20110405	BABY ALICIA
91	00102	19910405	20110405	BABY ALICIA, BOX ARTHUR
91	00103	19910405	20110405	AMERICAN HORSESHOES
91	00104	19910405	20110405	ASHURABLEASTER
91	00105	19910405	20110405	MEET BLAST
91	00106	19910405	20110405	SAGATE
91	00107	19910405	20110405	SUCCESS JOE
91	00108	19910405	20110405	THUNDERFOX
91	00109	19910405	20110405	TOP LANDING
91	00110	19910405	20110405	TOP LAIDING
91	00111	19910405	20110405	CAMELTRY
91	00112	19910405	20110405	AIR INFERO
91	00113	19910408	20110408	HEART LOCKER (LITHOGRAPH)
91	00114	19910410	20110410	REHAISSANCE ANGEL WITH
91	00115	19910410	20110410	REHAISSANCE ANGEL WITH
91	00116	19910410	20110410	REHAISSANCE ANGEL WITH
91	00117	19910415	20110415	BARREL OF MONKEYS
91	00118	19910415	20110415	BABY FACE, SO PLAYFUL
91	00119	19910415	20110415	BABY FACE, SO INNOCENT
91	00120	19910415	20110415	BABY FACE, SO SURPRISED
91	00121	19910415	20110415	BABY FACE, SO SHY SHERI
91	00122	19910415	20110415	BABY FACE, SO DELIGHTFUL
91	00123	19910415	20110415	BABY FACE, SO HAPPY HEI
91	00124	19910415	20110415	BABY FACE, SO FUN NAT
91	00125	19910415	20110415	BABY FACE, SO SWEET SAN
91	00126	19910415	20110415	BABY FACE, SO SORRY SAR
91	00127	19910417	20110417	UNITED FEATURE SYNDICATE
91	00128	19910417	20110417	UNITED FEATURE SYNDICATE
91	00129	19910417	20110417	UNITED FEATURE COMICS
91	00130	19910417	20110417	UNITED FEATURE COMICS
91	00131	19910418	20110418	CHARLESTON
91	00132	19910418	20110418	BRA FLORAL DESIGN
91	00133	19910419	20110419	PARK'S SUCCESS WITH SEE
91	00134	19910419	20110419	PARK'S SUCCESS WITH HER
91	00135	19910419	20110419	BOOT 16
91	00136	19910419	20110419	BOOT 16
91	00137	19910419	20110419	SPELLING ACE (SECOND ED)
91	00138	19910419	20110419	SPELLING ACE (SECOND ED)
91	00139	19910419	20110419	SPELLING ACE (COMPUTER ED)
91	00140	19910419	20110419	MONITOR (COMPUTER PROG)
91	00141	19910430	20110430	DOGGOOD LEI
91	00142	19910430	20110430	DOGGOOD LEI
91	00143	19910430	20110430	CARNATION LEI

SUBTOTAL RECORDATION TYPE

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TMK 91 00127 19910403 20001106 BROWNING

91 00128 19910403 20071013 SCHWEIZ SUISSE SVIZZERA

OMS SERVICE  
ADDED IN APRIL 1991

PAGE 1  
DETAIL

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CUSTOMS BULLETIN AND DECISIONS, VOL. 25, NO. 29, JULY 17, 1991

OWNER NAME	RESTR CTD
INTER-MAINLAND CORPORATION	H
INTER-MAINLAND CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
TAITO CORPORATION	H
EIDI CORPORATION	H
LENOX, INCORPORATED	H
LENOX, INCORPORATED	H
LENOX, INCORPORATED	H
MILTON BRADLEY COMPANY	H
LEHIS GALDOB TOYS, INC.	H
UNITED FEATURE SYNDICATE	H
UNITED FEATURE SYNDICATE	H
UNITED FEATURE COMICS	H
UNITED FEATURE COMICS	H
LENOX, INCORPORATED	H
HENRY VINH QUOC NHAN	H
GEORGE W. PARKS CO., INC.	H
GEORGE W. PARKS CO., INC.	H
FRAIKLIN ELECTRONIC PUBLISHERS	H
FRAIKLIN ELECTRONIC PUB., INC.	H
HANG'S IMPORT/EXPORT CO.,	H
HANG'S IMPORT/EXPORT CO.,	H
HANG'S IMPORT/EXPORT CO.,	H
BRUNNITING	H
SCHNEIDERISCHE KASEUNION AG.	H

06/26/91  
11:37:57

U.S. CUSTOMS  
IPR RECORDATIONS AD

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNM OR
TMK	91 00129	19910408	20000306	FUME/BOOTH
	91 00130	19910409	20010109	DUST-PAK
	91 00131	19910409	20051027	OTIS
	91 00132	19910409	20060608	OTIS
	91 00133	19910415	20001225	GIORGIO ARMANI & DESIGN
	91 00134	19910415	20030125	SUN COUNTRY & DESIGN
	91 00135	19910415	19971115	LANCIA
	91 00136	19910415	20000626	FENDI
	91 00137	19910415	20000315	AQUALAND
	91 00138	19910415	20000227	PROMASTER
	91 00139	19910415	20080920	ELEGANCE
	91 00140	19910415	20050312	NOBLIA
	91 00141	19910415	20010117	CITIZEN
	91 00142	19910415	19940716	CITIZEN
	91 00143	19910415	20060902	DICKIES & HORSESHOE DEVICE
	91 00144	19910415	20000214	DICKIES & HORSESHOE DEVICE
	91 00145	19910415	19950724	DICKIES & HORSESHOE DEVICE
	91 00146	19910415	19950719	DICKIES
	91 00147	19910415	20091114	DICKIES
	91 00148	19910418	20000403	MISCELLANEOUS DESIGN
	91 00149	19910418	20010129	BIO-COMPLEX
	91 00150	19910418	20000306	MONTANA
	91 00151	19910418	20060722	BELLINI
	91 00152	19910419	20040313	CHAPS BY RALPH LAUREN
	91 00153	19910419	19970614	POLO BY RALPH LAUREN
	91 00154	19910419	20081011	POLO BY RALPH LAUREN
	91 00155	19910419	19970614	POLO BY RALPH LAUREN
	91 00156	19910419	19970201	POLO BY RALPH LAUREN
	91 00157	19910419	19961207	RALPH (POLO PLAYER SYMBOL)
	91 00158	19910422	19961116	BRITANNIA
	91 00159	19910423	20070630	THREE CRABS DESIGN
	91 00160	19910423	20070630	THREE CRABS
	91 00161	19910429	19960925	M-STITCH DESIGN
	91 00162	19910429	20040918	GENESIS
	91 00163	19910429	20091114	SEGA
	91 00164	19910429	20091114	SEGA
	91 00165	19910429	20090117	ORIGINS
	91 00166	19910429	19920926	LYNX
	91 00167	19910429	20000716	MOBILAIRE
	91 00168	19910429	20010925	TOUR MASTER
	91 00169	19910429	20011016	XBS
	91 00170	19910429	20070818	TAXI 2
	91 00171	19910429	20000821	BIBI DE JEAN BARTHET
	91 00172	19910429	20050226	UTC
	91 00173	19910429	20080705	WINGED S
	91 00174	19910429	19961204	SIKORSKY
	91 00175	19910429	19950401	UNITED TECHNOLOGIES
	91 00176	19910429	20030322	PUMA & STRIP DESIGN

MS SERVICE  
DEDDED IN APRIL 1991

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DETAIL

R MSK	OWNER NAME	RESTRCTD
	AIRFLON SYSTEMS, INC.	N
	AIRFLON SYSTEMS, INC.	N
	OTIS ELEVATOR COMPANY	N
	OTIS ELEVATOR COMPANY	N
	G. A. MODEFINE S.A.	YY
	SPORTAILOR, INC.	Y
	ALFA LANCIA S.P.A.	HH
	FENDI PAOLO & S.LLE, S.A.S.	HH
	CITIZEN TOKEI KABUSHIKI KAISHA	HH
	CITIZEN TOKEI KABUSHIKI KAISHA	HH
	CITIZEN TOKEI KABUSHIKI KAISHA	HH
	CITIZEN TOKEI KABUSHIKI KAISHA	HH
	CITIZEN TOKEI KABUSHIKI KAISHA	HH
	CITIZEN TOKEI KABUSHIKI KAISHA	HH
	WILLIAMSON-DICKIE, MFG., CO.	HH
	HAGGAR INTERNATIONAL CORPORATION	H
	MARTINEZ CARRERAS & CO., INC.	Y
	HAGGAR INTERNATONAL CORPORATION	N
	BELLINI JUVENILE DESIGNER CORP	H
	POLO RALPH LAUREN CORPORATION	H
	POLO RALPH LAUREN CORPORATION	H
	POLO RALPH LAUREN CORPORATION	H
	POLO RALPH LAUREN CORPORATION	H
	POLO RALPH LAUREN CORPORATION	H
	POLO RALPH LAUREN CORPORATION	H
	BRITANNIA SPORTSHEAR LTD.	H
	SAIH CHUNG D/B/A VIET HUONG CO.	H
	SAIH CHUNG D/B/A VIET HUONG CO.	H
	BLUE BELL, INC.	H
	SEGA ENTERPRISES LTD, K.K.	H
	SEGA ENTERPRISES LTD, K.K.	H
	SEGA ENTERPRISES LTD, K.K.	H
	ORIGINS NATURAL RESOURCES INC.	H
	LYNX GOLF, INC.	H
	WHITE CONSOLIDATED INDUSTRIES	HN
	HELMET HOUSE, INC.	HN
	MATSUSHITA ELECTRIC INDUSTRIAL	YY
	FINE FRAGRANCES, INC.	YY
	FINE FRAGRANCES, INC.	YY
	UNITED TECHNOLOGIES CORPORATION	H
	TRETON AB	H

U.S. CUSTOMS SERVICE

06/26/91  
11:37:57

U.S. CUSTOMS  
IPR RECORDATIONS ADD

REC#		EFF DT	EXP DT	NAME OF COP, TMK, TNM OR
TMK	91 00177	19910429	20030322	PUMA & CAT DESIGN
91	00178	19910429	20000428	PUMA
91	00179	19910429	20000428	PUMA
91	00180	19910429	19960511	LEAPING CAT DESIGN
91	00181	19910429	20030104	PUMA
91	00182	19910429	20000520	FORMSTRIP DESIGN
91	00183	19910429	20031108	DESIGN
91	00184	19910430	20001023	UNITED COLORS OF BENETTON
91	00185	19910430	20000908	FEENEY
91	00186	19910430	20001127	FANCYFUL FE MISCELLANEOUS
91	00187	19910430	19971001	COLEEN
91	00188	19910430	20080625	GLORIA
91	00189	19910430	20000626	PERMANONE
91	00190	19910430	20090912	EAGLE BRAND AND DESIGN
91	00191	19910430	20031227	MISCELLANEOUS DESIGN

SUBTOTAL RECORDATION TYPE 65

TOTAL RECORDATIONS ADDED THIS MONTH 108

S SERVICE  
DED IN APRIL 1991

PAGE 3  
DETAIL

MSK	OWNER NAME	RESTRICTD
	TRETORN AB	N
	BEHETTON GROUP S.P.A.	N
	FEE NE DESIGN CO.,	N
	FEE NE DESIGN CO.	N
	COTLER CO., INC.	N
	ASLANIS SEAFOODS, INC.	N
	FAIRFIELD AMERICAN CORPORATION	N
	BORDEN CO. (PTE) LTD.	N
	BORDEN CO. (PTE) LTD.	N

26

CUSTOMS BULLETIN AND DECISIONS, VOL. 25, NO. 29, JULY 17, 1991

06/28/91  
09:46:05

U.S. CUS  
IPR RECORDATION

REC#		EFF DT	EXP DT	NAME OF COP, TMK, THM
COP	91 00144	19910503	20110503	HALLOWEEN WITCH BASKET
	91 00145	19910503	20110503	UNICORN
	91 00146	19910511	20010511	NINTEINDO ENTERTAINMENT
	91 00147	19910521	20110521	MY LOVELY POODLE #990
	91 00148	19910521	20110521	GO-GO MY WALKING PUP
	91 00149	19910521	20110521	YO-YO MY WALKING KITT
	91 00150	19910521	20110521	GOOGLES BEAR
	91 00151	19910521	20110521	GOOGLES SKUNK
	91 00152	19910521	20110521	GOOGLES PANDA
	91 00153	19910521	20110521	GOOGLES HALRUS
	91 00154	19910523	20110523	COSMO FIGHTER FUTURE
	91 00155	19910523	20110523	MULTILINE COMMUNICATI
	91 00156	19910523	20110523	IBM 7554 INDUSTRIAL G
	91 00157	19910523	20110523	IBM 7525 DATA COLLECT
	91 00158	19910523	20110523	IBM OPERATING SYSTEM
	91 00159	19910528	20110528	TEDDY BEAR FLOHER VAS
	91 00160	19910528	20110528	MONSTER BANK
	91 00161	19910529	20110529	CHRISTMAS SANTA AND H
	91 00162	19910529	20110529	NURD
SUBTOTAL RECORDATION TYPE			19	
TMK	91 00192	19910503	20000612	POWER PLANTER AND DES
	91 00193	19910503	20090926	CITIZEN ELEGANCE
	91 00194	19910503	20080607	EVOL0
	91 00195	19910503	20080621	COHS
	91 00196	19910503	20080531	CONVERSE ALL STAR CHU
	91 00197	19910506	20000724	MIQI
	91 00198	19910506	20010115	COTTON AT THE TOP
	91 00199	19910506	20060404	JULIANO'S WHTH DESIGN
	91 00200	19910506	20060802	SPECTRAN DEO
	91 00201	19910506	20040522	QUICKSHOT
	91 00202	19910506	19960417	TAREYTON
	91 00203	19910506	19970904	LUCKY STRIKE
	91 00204	19910506	20030827	CARLTON
	91 00205	19910506	20030827	PALL MALL
	91 00207	19910510	19980905	MALDEN
	91 00208	19910510	20000506	POLARSYSTEM
	91 00209	19910510	19980905	M MALDEN
	91 00210	19910510	20040905	POLARFLEECE
	91 00211	19910510	20070519	POLARPLUS
	91 00212	19910510	20040717	TERRACAST
	91 00214	19910510	20010205	EMPORIO ARMANI EXPRES
	91 00215	19910510	20000605	O.S.
	91 00216	19910511	20000501	SANDWICH-TWISTS
	91 00217	19910511	20060408	JULIANO'S WHTH DESIGN
	91 00218	19910511	20010126	HANG TEN
	91 00219	19910511	19981205	HANG TEN

STOMS SERVICE  
NS ADDED IN MAY 1991

PAGE 1  
DETAIL

M OR MSK	OWNER NAME	RESTRICTD
ET	JOELSON INDUSTRIES, INC.	N
NT SYSTEM ACTION SET	PROTON IMPORTS, INC.	N
01	NINTENDO OF AMERICA INC.	N
TY	SING YIP TOYS MANUFACTORY LTD.	N
CAR	HASBRO INC.	N
IONS COPROCESSOR	HASBRO INC.	N
GRAPHICS DISPLAY	GANZ BROS., TOYS	N
TION TERMINAL	GANZ BROS., TOYS	N
/2 STANDARD EDITION	GANZ BROS., TOYS	N
SE	GANZ BROS., TOYS	N
HIS ELVES	HU WEN LONG	N
SIGN	INTERNATIONAL BUSINESS MACHINES	N
UCK TAYLOR ANKLE PAT	INTERNATIONAL BUSINESS MACHINES	N
N	INTERNATIONAL BUSINESS MACHINES	N
SS AND DESIGN	INTERNATIONAL BUSINESS MACHINES	N
N	UNITED IMPORTS, INC.	N
	MAXCO, INC.	N
	NEW CREATIVE ENTERPRISES	N
	EAST WEST DESIGN CORPORATION	N

U.S. CUSTOMS SERVICE

POWER PLANTER, INC.  
CITIZEN TOKEI KABUSHIKI KAISHA  
CONVERSE INC.  
CONVERSE INC.  
CONVERSE INC.  
MON AMI INDUSTRIAL COMPANY  
ESMARK APPAREL, INC.  
HONGSON, INC.  
BONDWELL HOLDING LTD.  
SPECTRAVIDEO INTERNATIONAL  
AMERICAN TOBACCO COMPANY  
AMERICAN TOBACCO COMPANY  
AMERICAN TOBACCO COMPANY  
AMERICAN TOBACCO COMPANY  
MALDEN MILLS, INDUSTRIES,  
ROTOCAST PLASTIC PRODUCTS, INC.  
G. A. MODEFINE S.A.  
HOBBIKO, INC.  
PRETZELS, INC. DBA TEXAS THIST  
HONGSON, INC.  
HANG TEN INTERNATIONAL  
HANG TEN INTERNATIONAL

06/28/91  
09:46:05

U.S. CUSTOMS  
IPR RECORDATIONS AD

REC#	TMK	EFF DT	EXP DT	NAME OF COP, TMK, TNM OR I
91	00220	19910511	19981205	FLEET DESIGN
91	00221	19910511	19980829	BOLT WITH DESIGN
91	00222	19910511	19970208	LIGHTNING BOLT
91	00223	19910521	19970712	SHIRAKIKU AND DESIGN
91	00224	19910521	20070303	500 & DESIGN
91	00225	19910521	20090307	500 & DESIGN
91	00226	19910521	20001009	CRISCCROSS
91	00227	19910521	20000515	PROJECT KOM
91	00228	19910521	20000904	IMPACT
91	00229	19910521	20001016	FRONTIER
91	00230	19910521	20000509	PUFF
91	00231	19910521	20060407	STARDUST
91	00232	19910521	20091010	FRESH FROM TOWNSEND!
91	00233	19910521	20060408	1ST OF LOGO
91	00234	19910521	20091010	CHICKEN SUPERIMPOSED ON A
91	00235	19910521	2001204	COLTALIN FORTUNE AND DESIGN
91	00236	19910521	20031213	ROBERT SCOTT LTD.
91	00237	19910521	20080301	SALVADOR DALI
91	00238	19910521	20010319	.22 AUTO STOCK DESIGN
91	00239	19910521	20080315	BOLLE FRANCE (CROWN)
91	00241	19910521	20050115	THE TOUCH OF NIINA AND DES
91	00242	19910521	19930818	HASTELLOY
91	00243	19910521	20001218	OBEX SPORT
91	00244	19910521	19920222	SUPERFAST
91	00245	19910521	19950923	SUPER KINGS
91	00246	19910521	20020712	SUPER SPIN
91	00247	19910521	20030623	CITY GARAGE
91	00248	19910521	19920625	LIVE 'N LEARN
91	00249	19910521	20010112	HIGHWAY EXPRESS
91	00250	19910521	20010822	COPTER CHASE
91	00251	19910521	19940924	MATCHBOX
91	00252	19910521	20021012	SHOTGUN BUSTERS
91	00253	19910523	20060923	SHOTGUN RECEIVER CONFIGURA
91	00254	19910524	20070415	P
91	00255	19910524	19980715	P F FLYERS
91	00256	19910528	20061007	MELBOURNE STATION
91	00257	19910528	20000213	MELBOURNE COUNTRY
91	00258	19910528	20000213	MELBOURNE TOUR
91	00259	19910528	20000213	CINELUX
91	00260	19910528	20000703	LATCH HANDLE DESIGN
91	00261	19910528	20091114	ARROW
91	00262	19910528	20070120	ARROW STYLIZED
91	00263	19910528	19910921	CINELUX
91	00264	19910528	19910921	CINELUX
91	00265	19910528	19910921	CINELUX
91	00266	19910528	19910921	CINELUX
91	00267	19910528	20091017	EXPRESSIONS
91	00268	19910528	20010121	NEUMANN IN DESIGN
91	00269	19910528	20010121	NEUMANN IN DESIGN

MSK OWNER NAME RESTRCTL  
HANG TEN INTERNATIONAL Y  
INTERNATIONAL LICENSING CORP. Y  
INTERNATIONAL LICENSING CORP. N  
NISHIMOTO TRADING CO., LTD. N  
SOCIEDAD ESTATAL PARA LE EJECUCI N  
SOCIEDAD ESTATAL PARA LA EXPOSIC N  
SCHMINN BICYCLE COMPANY Y  
SCHMINN BICYCLE COMPANY Y  
SCHMINN BICYCLE COMPANY N  
SCHMINN BICYCLE COMPANY Y  
SCHMINN BICYCLE COMPANY Y  
SCHMINN BICYCLE COMPANY N  
TONNENDS, INC. N  
1ST ORIENTAL FOOD INC. Y  
TONNENDS, INC. N  
FORTUNE PHARMACAL CO. LTD. Y  
ROBERT SCOTT LTD. Y  
FINE FRAGRANCES Y  
BROWNING Y  
BOULE AMERICA INC. Y  
MINA FOOTWEAR CO., INC. N  
HAYNES INTERNATIONAL, INC. N  
HUB DISTRIBUTING INC. Y  
MATCHBOX INTERNATIONAL LTD. N  
LEIF J. OSTBERG INC. Y  
LEIF J. OSTBERG INC. Y  
UNITED STATES SHOE CORPORATION Y  
UNITED STATES SHOE CORPORATION Y  
UNITED STATES SHOE CORPORATION Y  
ATHWOOD INDUSTRIES, INC. N  
ARROW ELECTRONICS, INC. N  
ARROW ELECTRONICS, INC. N  
SCHNEIDER CORPORATION N  
SCHNEIDER CORPORATION N  
SCHNEIDER CORPORATION N  
SCHNEIDER CORPORATION N  
ALMAR SALES CO. Y  
GEORG NEUMANN GMBH N  
GEORG NEUMANN GMBH N

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U.S. CUSTOM  
IPR RECORDATIONS A

RECB		EFF DT	EXP DT	NAME OF COP, TMK, TNM OR
TMK	91 00270	19910528	20041016	ASICS (STYLIZED LETTERS)
	91 00271	19910528	20041106	TWO PAIRS OF CROSSED STR
	91 00272	19910528	19961009	SOUTHWIRE
	91 00273	19910529	20090404	FAT BIRDS DON'T FLY
	91 00274	19910529	19970405	MASI
	91 00275	19910529	20000116	TWIST-N-LOC
	91 00276	19910529	20060603	FULLMARK & DESIGN
	91 00277	19910529	20071201	ICE CLIMBER
	91 00278	19910529	20071214	URBAN CHAMPION
	91 00279	19910529	20070825	BALLOON FIGHT

SUBTOTAL RECORDATION TYPE 84

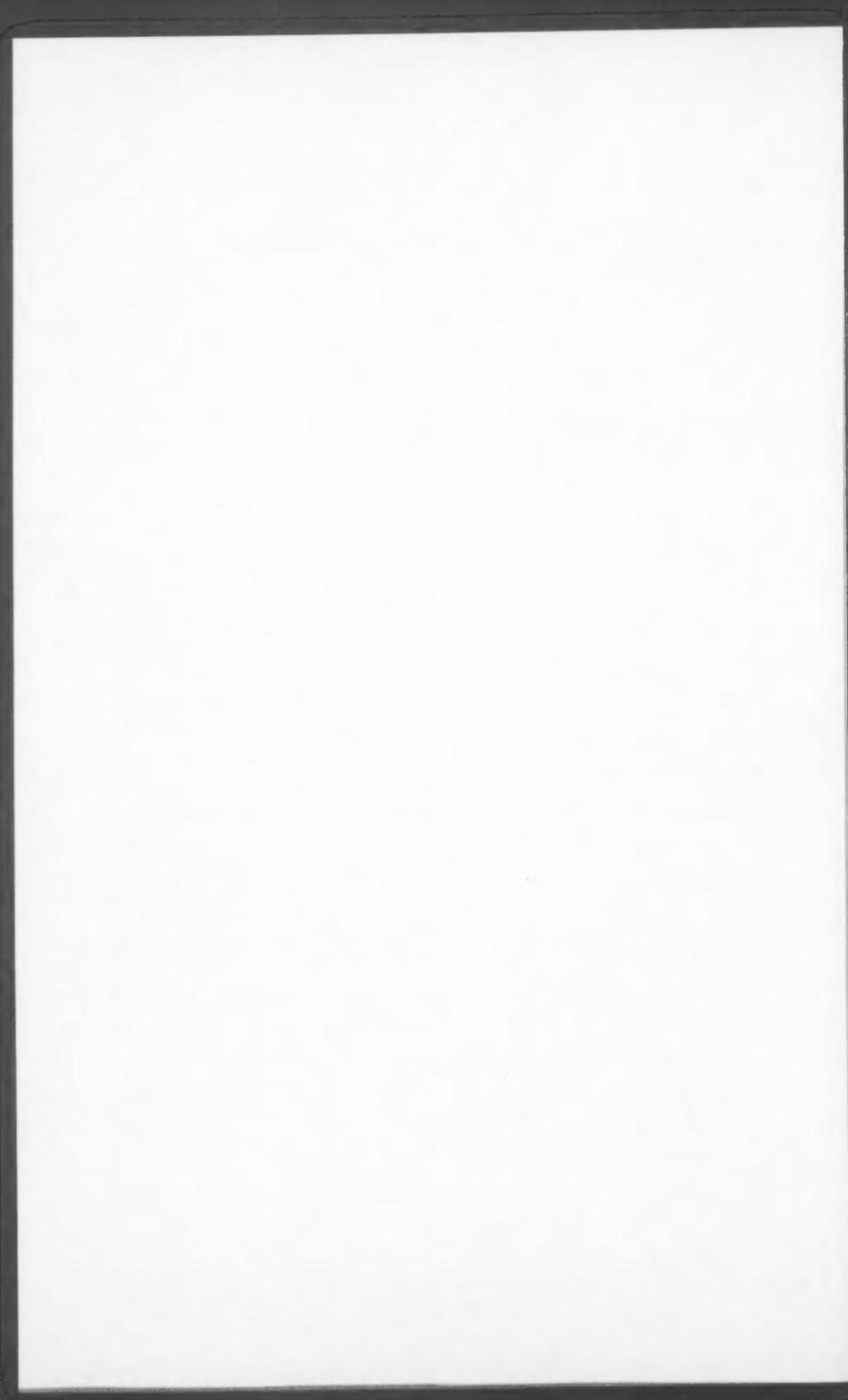
TOTAL RECORDATIONS ADDED THIS MONTH 103

MS SERVICE  
ADDED IN MAY 1991

PAGE 3  
DETAIL

R MSK	OWNER NAME	RESTRICTD
0	ASTCO CORPORATION	N
RIPES	ASICS CORPORATION	N
	SOUTHWIRE COMPANY	N
	JUSTAMERE ASSOCIATES, INC.	N
	CICLI MASI INC.	N
	JOMAR INTERNATIONAL, LTD.	Y
	FULLMARK PTE., LTD.	N
	NINTENDO OF AMERICA INC.	N
	NINTENDO OF AMERICA INC.	N
	NINTENDO OF AMERICA INC.	N

U.S. CUSTOMS SERVICE



# U.S. Customs Service

## *Proposed Rulemaking*

### 19 CFR Part 24

#### PROPOSED CUSTOMS REGULATIONS AMENDMENT PERTAINING TO PERSONAL INFORMATION ON CHECKS SUBMITTED TO CUSTOMS

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: Customs proposes to amend the Customs Regulations to provide that identifying information on uncertified personal checks over \$25.00 in amount given for noncommercial importations include the payor's name, home and business telephone number, including area code, and date of birth. Additionally, Customs proposes that one of the following be required: the payor's social security number, passport number, or driver's license number, including issuing state. This proposed amendment is in response to a need to improve collection efforts on debts arising from dishonored checks.

DATE: Comments must be received on or before September 9, 1991.

ADDRESS: Written comments may be submitted to and inspected at the Regulations and Disclosure Law Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2119, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Robert Hamilton, Revenue Branch, National Finance Center 317-298-1308.

#### SUPPLEMENTARY INFORMATION:

##### BACKGROUND

In an effort to facilitate its ability to collect on debts arising from dishonored personal checks received for noncommercial importation, Customs has determined that additional information is needed pertaining to the identification of the payor on uncertified personal checks over \$25.00 in amount which are submitted to Customs and processed at piers, terminals, bridges, airports and other similar places. Customs is of the opinion that collection activities on amounts of \$25.00 and less would not be cost effective.

Customs proposes to amend § 24.1(b), Customs Regulations (19 CFR 24.1(b)), to require that identifying information pertaining to the payor on uncertified personal checks over \$25.00 in amount submitted to Customs for noncommercial importation include the payor's name, home and business telephone number, including area code, and date of birth. Additionally, Customs proposes that one of the following be required: the payor's social security number, current passport number, or current driver's license number, including issuing state.

Pursuant to § 7(b) of the Privacy Act of 1974, 5 U.S.C. 552a Note, a governmental agency "which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it." In order to comply with the § 7(b) notice requirements of the Privacy Act, concurrent with a final rule being published on this proposed amendment, Customs will have in place a notification program pertaining to the voluntary disclosure of the payor's social security number.

#### COMMENTS

Prior to adoption of this proposal, consideration will be given to written comments (preferably in triplicate) timely submitted to Customs. Submitted comments will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), § 1.4 Treasury Department Regulations (31 CFR 1.4), and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9 a.m. and 4:30 p.m., at the Regulations and Disclosure Law Branch, Room 2119, U.S. Customs Service Headquarters, 1301 Constitution Avenue NW, Washington, D.C.

#### REGULATORY FLEXIBILITY ACT

This document is not subject to the Regulatory Flexibility Act. This proposed amendment is certified under the provisions of § 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)) not to have a significant economic impact on a substantial number of small entities.

#### DRAFTING INFORMATION

The principal author of this document was Michael Smith, Regulations and Disclosure Law Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

#### EXECUTIVE ORDER 12291 AND REGULATORY FLEXIBILITY ACT

Because this rule relates to agency organization and management, it is not subject to either Executive Order 12291 or the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

#### LIST OF SUBJECTS IN 19 CFR PART 24

Customs duties and inspection, Imports, Accounting, Claims, Taxes.

## PROPOSED AMENDMENT

It is proposed to amend Part 24, Customs Regulations (19 CFR Part 24) as set forth below:

## PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

1. The authority citation for Part 24, Customs Regulations (19 CFR Part 24), would continue to read as follows:

**Authority:** 5 U.S.C. 301, 19 U.S.C. 58a–58c, 66, 1202 (General Note 8, Harmonized Tariff Schedule of the United States), 1624, 31 U.S.C. 9701, unless otherwise noted.

Section 24.1 also issued under 19 U.S.C. 197, 198, 1648.

\* \* \* \* \*

2. It is proposed to amend § 24.1(b), Customs Regulations (19 CFR 24.1(b)), to read as follows:

**§ 24.1 Collection of Customs duties, taxes, and other charges.**

\* \* \* \* \*

(b) At piers, terminals, bridges, airports and other similar places, in addition to the methods of payment prescribed in paragraph (a) of this section, a personal check drawn on a national or state bank or trust company of the United States, shall be accepted by inspectors of Customs and other Customs employees authorized to receive Customs collections in payment of duties, taxes, and other charges on noncommercial importations subject to the identification requirements of paragraph (a)(4) of this section and this paragraph. Where the amount of the check is over \$25.00, the Customs cashier or other employee authorized to receive Customs collections shall ensure the payor's name, home and business telephone number, including area code, and date of birth is recorded on the instrument. Additionally, one of the following will be recorded on the instrument: the payor's social security number, current passport number, or current driver's license number, including issuing state. A personal check received under this paragraph and a United States Government check, traveler's check, or money order received under paragraph (a) of this section by such Customs inspectors and other Customs employees shall also be subject to the following conditions:

\* \* \* \* \*

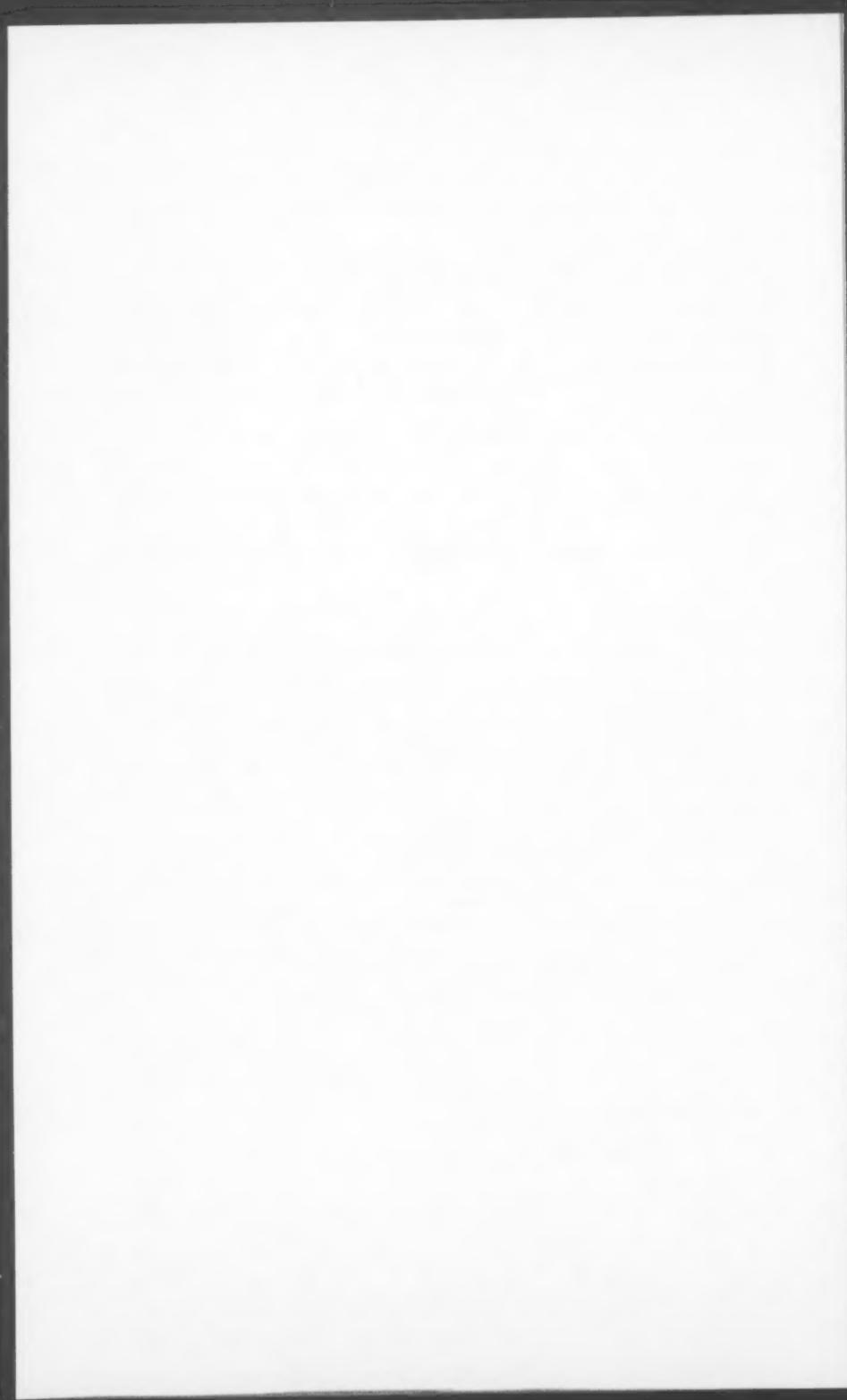
CAROL HALLETT,  
*Commissioner of Customs.*

Approved: June 28, 1991.

PETER K. NUNEZ,

*Assistant Secretary of the Treasury.*

[Published in the Federal Register, July 11, 1991 (56 FR 31576)]



# United States Court of International Trade

One Federal Plaza  
New York, N.Y. 10007

## *Chief Judge*

## *Judges*

Gregory W. Carman\*  
Jane A. Restani  
Dominick L. DiCarlo  
Thomas J. Aquilino, Jr.

Nicholas Tsoucalas  
R. Kenton Musgrave  
Richard W. Goldberg

## *Senior Judges*

Morgan Ford  
James L. Watson  
Herbert N. Maletz  
Bernard Newman  
Samuel M. Rosenstein

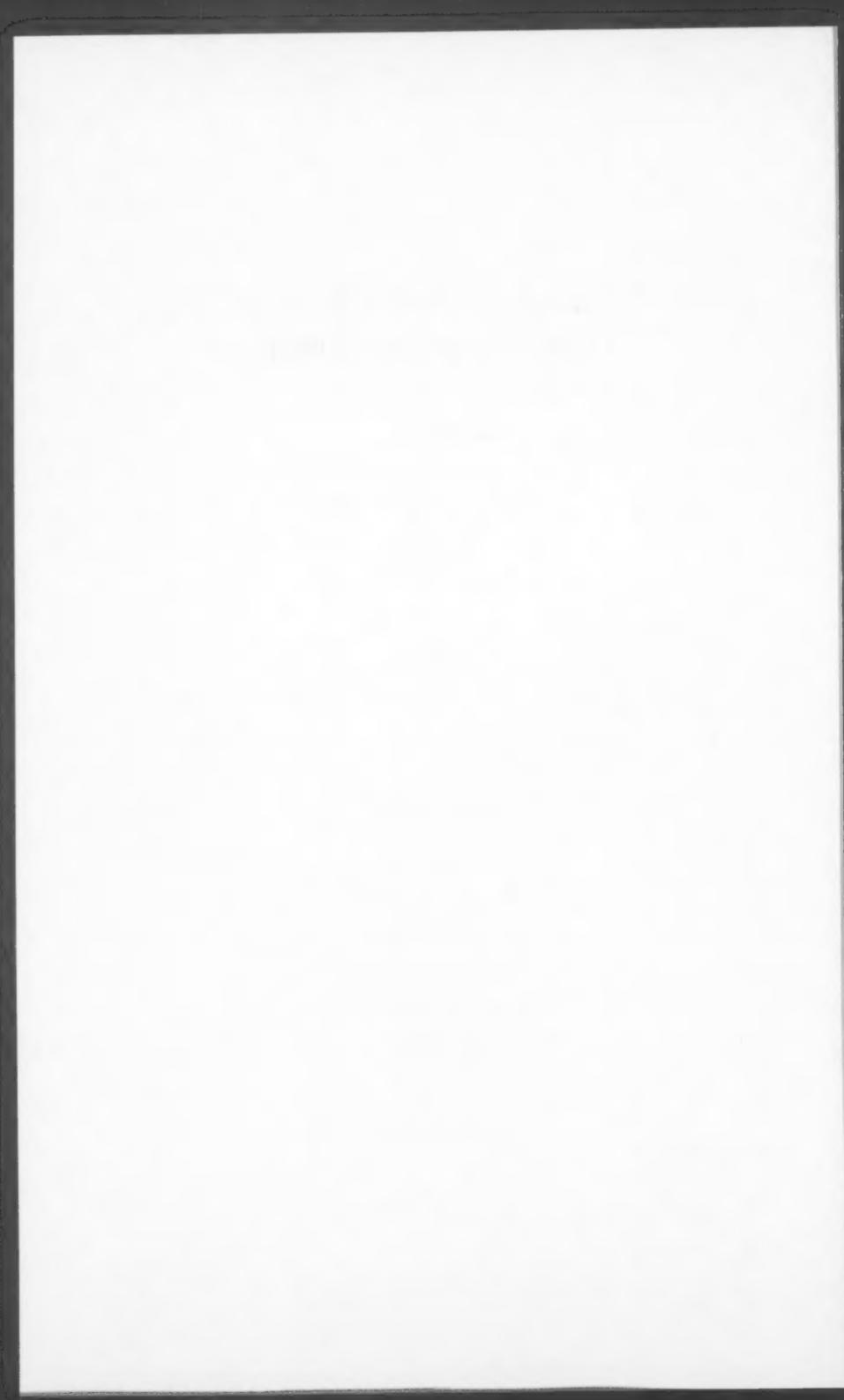
Nils A. Boe

## *Clerk*

Joseph E. Lombardi

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\* Acting as Chief Judge, effective May 1, 1991, pursuant to 28 U.S.C. § 253d.



# Decisions of the United States Court of International Trade

(Slip Op. 91-51)

CALABRIAN CORP., PLAINTIFF v. U.S. INTERNATIONAL TRADE COMMISSION, DEFENDANT, AND WILLIAM BLYTHE & CO., LTD., AND BASF CORP., DEFENDANT-INTERVENORS

Court No. 90-09-00481

[Defendant-Intervenors' motion to strike facts and legal arguments not on administrative record is granted in part and denied in part.]

(Dated June 20, 1991)

*Brownstein Zeidman & Schomer (Steven P. Kersner and Ronald M. Wisla)*, on the motion, for plaintiff.

*Lyn M. Schlitt*, General Counsel, *James A. Toupin*, Assistant General Counsel, United States International Trade Commission (*Elizabeth C. Hafner*), on the motion, for defendant.

*Dow, Lohnes & Albertson (William Silverman and Ryan Trainer)*, and *Steptoe & Johnson (Richard O. Cunningham and Jay H. Reiziss)*, on the motion, for defendant-intervenors.

## MEMORANDUM OPINION AND ORDER

*CARMAN, Acting Chief Judge*: Defendant-Intervenors move this Court to strike all nonrecord facts and legal arguments contained in plaintiff's Memorandum of Points and Authorities in Support of Plaintiff's 56.1 Motion for Judgment on the Agency Record. Defendant U.S. International Trade Commission ("Commission") supports defendant-intervenors' motion in part. Plaintiff contests the negative preliminary injury determination issued by the Commission in *Certain Sodium Sulfur Chemical Compounds from the Federal Republic of Germany, the People's Republic of China, Turkey and the United Kingdom*, USITC Pub. No. 2307, Inv. Nos. 701-TA-303, 731-TA-465-468 (Prelim.) (Aug. 1990), 55 Fed. Reg. 35, 373 (Aug. 29, 1990) ("Determination") with respect to imports of sodium metabisulfite. Plaintiff challenges the Commission's findings that sodium metabisulfite and sodium bisulfite constitute a single like product and the Commission's determination that there is no reasonable indication of material injury or threat of material injury by reason of allegedly subsidized and less than fair value imports of sodium metabisulfite from the Federal Republic of Germany, the People's Republic of China, Turkey, and the United Kingdom.

On the facts presented, this Court grants in part and denies in part defendant-intervenors' motion to strike facts and legal arguments not on administrative record.

## DISCUSSION

As to the first fact, defendant-intervenors and defendant both contend that plaintiff alleges for the first time on pages 29 and 30 of its Memorandum that [[ confidential ]]. Plaintiff's Memorandum at 29-30. Defendant-Intervenors and defendant contend that this information is not supported by evidence on the administrative record.

Plaintiff does not cite to the administrative record where these matters appear. In fact, in Plaintiff's Opposition to Defendant-Intervenors' Motion to Strike Portions of Plaintiff's Memorandum ("Plaintiff's Opposition to Defendant-Intervenors' Motion to Strike"), plaintiff offers the explanation that the sentence appearing on pages 29 and 30 of Plaintiff's Memorandum "was offered by plaintiff as a possible explanation of [[ confidential ]] motivation for [[ confidential ]]." *Id.* at 3.

This Court construes the nature of plaintiff's offered sentences as being in the nature of argument. Because plaintiff asserts, in the two sentences above, facts that are not supported by the administrative record, they are stricken.

With respect to the second fact, defendant-intervenors contend that the following sentences should be stricken because they are not based on evidence in the administrative record. Defendant requests that only the underscored clause below be stricken.

The administrative record indicates that the only use for sodium bisulfite is in waste water treatment. A.R. Doc. #90 at A-5. Indeed, *there are no grades of sodium bisulfite*. All of Plaintiff's sales of sodium bisulfite are made to local area purchasers who add sodium bisulfite directly into waste water effluent st[r]eams [sic].

*See* Defendant-Intervenors' Motion to Strike Facts and Legal Arguments not on Administrative Record ("Defendant-Intervenors' Motion to Strike") at 8 (citing Plaintiff's Memorandum at 46).

Plaintiff cites to the administrative record in support of this argument. *See* Plaintiff's Memorandum at 46. This Court finds that it would appear that reasonable disputes may exist as to what the Plaintiff's Memorandum states. Therefore, this Court denies both defendant-intervenors' and defendant's motion to strike these sentences.

Defendant-Intervenor further contends that the following sentences appearing on page 46 of Plaintiff's Memorandum should be stricken because they draw legal conclusions from the information appearing on page 46. Defendant-Intervenors' Motion to Strike at 8.

Plaintiff asserts that there is no rational basis for the Commission [to] determine that sodium metabisulfite and sodium thiosulfate are separate like products and then to find that under similar circumstances sodium metabisulfite and sodium bisulfite constitute a single like product. Due to the various uses for sodium metabisulfite and the single use for sodium bisulfite, these two chemicals should be found to be separate like products.

Plaintiff's Memorandum at 47. Defendant asserts no position concerning these sentences.

This Court observes that this paragraph appears to be a legal conclusion in the nature of argument. In addition, plaintiff cites to the administrative record in support of its argument. *See Plaintiff's Opposition to Defendant-Intervenors' Motion to Strike at 8-9.* In light of this Court's determination in regard to the sentences appearing on page 46 of Plaintiff's Memorandum and addressed above, this Court denies defendant-intervenors' motion to strike these sentences.

The third group of facts, that defendant-intervenors contend are not based on information in the administrative record, appears at page 48 of Plaintiff's Memorandum. Defendant asserts no position as to these sentences. They are as follows.

A customer who purchases sodium bisulfite will add the product directly from a storage tank into the effluent stream. A customer who purchases sodium metabisulfite must dissolve the product, achieve the proper concentration, and then enter it into the effluent stream. Thus a customer presently using sodium bisulfite would have to alter his manufacturing process in order to accommodate the extra steps necessary to use sodium metabisulfite. Therefore, even in the area of overlapping usage, the products are not interchangeable in practical terms.

#### Plaintiff's Memorandum at 48.

Plaintiff counters that this argument is based on the information in the administrative record and cites to a question raised by Mr. Greenblatt of the Commission staff concerning this topic. *See Plaintiff's Opposition to Defendant-Intervenors' Motion to Strike at 10* (citing A.R. Doc. # 45 at 58-59).

This Court finds that plaintiff has cited to the administrative record in reference to the sentences appearing on page 48 of its Memorandum. Therefore, this Court denies defendant-intervenors' motion to strike these sentences.

Lastly, defendant-intervenors and defendant contend that facts appearing on page 28 of Plaintiff's Memorandum should be stricken. Defendant requests that only the underscored clause and sentences below be stricken.

Plaintiff notes that *in the sister sodium thiosulfate investigation, which did go to a final investigation, the Commission conducted on-site verification of the [sic] both companies' questionnaire responses and requested that certain adjustments be made to the questionnaire responses. Accordingly, a strong likelihood exists that the Commission would have adjusted [[ confidential ]] in a manner similar to adjustments [[ confidential ]] by the Commission in Conf. A.R. Doc. #19.*

#### Plaintiff's Memorandum at 28.

As to these facts, plaintiff requests that this Court take judicial notice that (1) a verification was conducted by the Commission in the final sodium thiosulfate investigation, and (2) it is the normal practice of the Commission to verify the responses of domestic producers in the context of final determinations. Plaintiff's Opposition to Defendant-

Intervenors' Motion to Strike at 5. Plaintiff also points out that defendant-intervenors and defendant do not contest these facts. This Court declines to take judicial notice because it appears to be unnecessary. Furthermore, the Court observes that plaintiff has not supplied authority as to what the normal practice of the Commission is in the verification process.

Defendant-Intervenors note that the Commission's actions in the sodium thiosulfate case concerned events that occurred several months after the administrative record for this case was closed and the Determination issued. Defendant-Intervenors' Motion to Strike at 12. As a consequence, defendant-intervenors conclude that the facts from the on-site verification and requested adjustments to data are not on the administrative record, and, therefore, they are nonrecord facts and should be stricken from Plaintiff's Memorandum. *Id.*

As to the first sentence beginning with "Plaintiff notes" and ending with "be made to the questionnaire responses" on page 28 of Plaintiff's Memorandum, it appears that on-site verification took place subsequent to the Commission's Determination in this case and, therefore, is not part of the administrative record. This Court orders that this sentence be stricken from Plaintiff's Memorandum.

With respect to the sentence beginning with "Accordingly" and ending with "by the Commission in Conf. A.R. Doc. #19" on page 28 of Plaintiff's Memorandum, this Court observes that this sentence appears to be in the nature of argument. While the sentence appears to be couched in conjecture as to what the Commission might have done under certain circumstances, this Court determines not to strike this sentence from the Plaintiff's Memorandum. Nevertheless, this Court observes that this sentence appears to be entitled to little weight.

As to the second issue raised in defendant-intervenors' motion, defendant-intervenors request this Court to strike plaintiff's legal argument in reference to like products because plaintiff has not exhausted all administrative remedies. Defendant was silent as to this issue. Specifically, defendant-intervenors request that the following passages of Plaintiff's Memorandum be stricken because plaintiff failed to request that the Commission divide the subject merchandise into three separate like products during the underlying administrative proceedings (Defendant-Intervenors' Motion to Strike at 16-18 and Exhibit 2):

1. all of paragraph "C" on page 2;
2. page 9, beginning with the words "Even if" in line 11, and ending with the words "products is appropriate" in line 8 of page 10.
3. all of plaintiff's argument as set forth in section "D," beginning on page 34 with the words "THE COMMISSION INCORRECTLY" in line 4, and ending with the words "Yuasa General Battery II, *supra*" in line 16 on page 57;
4. page 62, beginning with the words "Plaintiff notes that" at the start of plaintiff's argument "E(2)," and ending with the words "subject to investigation" in line 3 on page 63;

5. page 65, beginning with the words "Moreover, Plaintiff" in line 8, and ending with the words "even further" in line 16 on the same page;
6. page 65, beginning with the words "Again Plaintiff notes" in line 19, and ending with the word "data" in line 21 on the same page; and
7. page 73, beginning with the words "First, as discussed in" in line 15, and ending with the word "bisulfite" in line 3 on page 74.

Defendant-Intervenors argue that judicial review is limited to legal arguments that plaintiff raised before the Commission. Defendant-Intervenors contend that because plaintiff did not raise these arguments before the Commission, it has not exhausted all of its administrative remedies, and, therefore, plaintiff's legal arguments should be stricken from its Memorandum.

Defendant-Intervenors assert that plaintiff initially wanted the Commission to consider sodium metabisulfite, sodium bisulfite, and sodium thiosulfate as a single like product. The Commission, however, determined that sodium metabisulfite and sodium bisulfite are a single like product and sodium thiosulfate is a separate like product.

Plaintiff's complaint contests the Commission's like product finding. Plaintiff concedes that it did not contest the principle of dividing the subject chemicals into separate like products, but rather it contested the manner in which such chemicals were divided. Plaintiff contends that the Commission's finding that sodium metabisulfite and sodium bisulfite are a single like product, yet constitute a separate like product vis-a-vis the third chemical (sodium thiosulfate) is arbitrary, capricious, and otherwise not in accordance with law.

Plaintiff notes that this argument is purely a legal issue which does not seek to add any factual data to the administrative record. Plaintiff's Opposition to Defendant-Intervenors' Motion to Strike at 15-16. Plaintiff states that its claim as set forth in section D of its argument, beginning on page 34 with the words "THE COMMISSION INCORRECTLY" and ending with the words "Yuasa General Battery II, *supra*" on page 57, does not rely on information that was submitted to the Court without an opportunity for prior agency consideration. Plaintiff further contends that there is sufficient information in the administrative record to support either a single like product or a three separate like product finding as to each of the three chemicals subject to investigation. Therefore, plaintiff alleges in its legal argument set forth in its Memorandum at pages 34-57 that the Commission's failure to conduct any like product analysis as to sodium metabisulfite and sodium bisulfite was contrary to law.

This Court finds plaintiff's claim that the Commission's finding was arbitrary, capricious, and otherwise not in accordance with law is in the form of a legal argument and that this legal argument is based upon information in the administrative record. This Court denies defendant-intervenors' motion to strike plaintiff's legal argument as set forth in

section D of its Memorandum (pages 34-57) and all other passages set forth in Exhibit 2 of Defendant-Intervenors' Motion to Strike.

For the reasons given above, it is hereby

ORDERED that defendant-intervenors' motion to strike facts and legal arguments not on the administrative record is granted in part and denied in part as consistent with the Court's opinion herein.

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(Slip Op. 91-52)

KOYO SEIKO CO., LTD. AND KOYO CORP. OF U.S.A., PLAINTIFFS, SKF USA, INC. AND AB SKF; SNR ROULEMENTS AND SNR BEARINGS, USA, INC., PLAINTIFF-INTERVENORS *v.* UNITED STATES, DEFENDANT, TORRINGTON CO., FEDERAL-MOGUL CORP., DEFENDANT-INTERVENORS

Court No. 89-06-00340

Plaintiffs challenge the determination by the Department of Commerce that antidumping petition was filed "on behalf of" the domestic ball bearings and cylindrical roller bearings industries. Plaintiffs also seek a separate class or kind category for unfinished bearing parts and automotive wheel hub units, and contest the use of the prices of finished bearings to determine the margins for bearing parts.

*Held:* The ITA correctly determined that petitioner had standing to file an antidumping duty petition on behalf of the domestic ball bearings and cylindrical roller bearings industries. The ITA properly declined to create a separate class or kind category for bearing parts and wheel hub units. The decision to treat bearing parts under the alternative reporting requirements was in accordance with law.

[ITA determination is affirmed.]

(Dated June 27, 1991)

*Powell, Goldstein, Frazer & Murphy* (Peter O. Suchman and Neil R. Ellis) for plaintiffs. *Hourley & Simon* (Herbert C. Shelley and Lauren D. Frank) for SKF USA, Inc. and AB SKF.

*Donovan Leisure Newton & Irvine* (Pierre F. de Ravel d'Esclapon) for SNR Roulements and SNR Bearings, USA, Inc.

*Stuart M. Gerson*, Assistant Attorney General; *David M. Cohen*, Director, Commercial Litigation Branch, Civil Division, U.S. Department of Justice (Jeanne E. Davidson); of counsel: *John D. McInerney*, Senior Counsel, *Douglas S. Cohen*, *Craig R. Giese*, *Diane M. McDevitt*, *Stephanie J. Mitchell* and *Maria T. Solomon*, Attorney-Advisors, Office of the Chief Counsel for Import Administration, Department of Commerce, for defendant.

*Stewart and Stewart* (Eugene L. Stewart, Terence P. Stewart, James R. Cannon, Jr., David Scott Nance and Geert De Prest) for The Torrington Company.

*Frederick L. Ikenson, P.C.* (Frederick L. Ikenson, J. Eric Nissley and Larry Hampel) for Federal-Mogul Corporation.

#### OPINION

*Tsoucalas, Judge:* Plaintiffs, Koyo Seiko Co., Ltd. and Koyo Corporation of U.S.A. (collectively "Koyo"), bring this action for partial judgment on the agency record pursuant to Rule 56.1 of the rules of this Court. Koyo challenges the final affirmative dumping determination of the Department of Commerce, International Trade Administration ("Commerce" or "ITA"), in *Antifriction Bearings (Other Than Tapered*

*Roller Bearings) and Parts Thereof From Japan*, 54 Fed. Reg. 19,101 (1989). Specifically, plaintiffs contest the ITA's decision not to create a separate class or kind of merchandise for wheel hub units and unfinished bearing parts. Koyo also claims that petitioner, The Torrington Company ("Torrington") lacked standing to file an antidumping petition on behalf of the domestic producers of wheel hub units, ball bearings and cylindrical roller bearings. Finally, Koyo asserts that unfinished bearing parts should not have been treated under the "alternative reporting requirements."

The Court's jurisdiction is based on 28 U.S.C. § 1581(c) (1988).

#### BACKGROUND

The facts of this case were set out in detail in *The Torrington Co. v. United States*, 14 CIT \_\_\_, 745 F. Supp. 718 (1990) and *NTN Bearing Corp. of America v. United States*, 15 CIT \_\_\_, 757 F. Supp. 1425 (1991). Briefly, the ITA, in its final determinations, found that antifriction bearings comprised five different classes or kinds of bearings: Ball bearings, spherical roller bearings, cylindrical roller bearings, needle roller bearings and spherical plain bearings. *Final Determinations of Sales at Less than Fair Value: Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From the Federal Republic of Germany*, 54 Fed. Reg. 18,992, 18,999 (1989). The bearings were distinguished by their rolling element because the ITA determined that the rolling element established the character of a bearing in that it "determined or limited the [bearings'] key functional capabilities (e.g., load and speed)," which in turn established the limits of the bearings' ultimate use and the customers' expectations. *Id.* Wheel hub units were included within the scope of the investigation, and were classified according to the type of rolling element they contained. In the final determinations the ITA also established that the petitioner had standing to bring an antidumping petition regarding each of the five classes or kinds of bearings. 54 Fed. Reg. at 19,006.

#### DISCUSSION

A final antidumping determination by the Department of Commerce will be affirmed unless that determination is not supported by substantial evidence or is otherwise not in accordance with law. 19 U.S.C. § 1516a(b)(1)(B) (1988). Substantial evidence is relevant evidence that "a reasonable mind might accept as adequate to support a conclusion." *Consolidated Edison Co. v. NLRB*, 305 U.S. 197, 229 (1938); *Alhambra Foundry Co. v. United States*, 12 CIT 343, 345, 685 F. Supp. 1252, 1254-55 (1988).

##### I. Class or Kind:

In its petition, Torrington described the class or kind of merchandise at issue as "all ground antifriction bearings and all parts thereof both finished and unfinished with the exception of tapered roller bearings." General Administrative Record ("GAR") (Pub.) Doc. 1 at 13. Commerce deemed it improper to include many different types of bearings within

such a sweeping category and thus subdivided antifriction bearings into ball bearings, spherical roller bearings, cylindrical roller bearings, needle roller bearings and spherical plain bearings. GAR (Pub.) Doc. 102. This court, in *Torrington*, affirmed the ITA's decision to so subdivide the bearings. 745 F. Supp. 718.

Plaintiffs contend, however, that the ITA did not go far enough. In addition to the five classes or kinds, Koyo seeks a separate class or kind category for unfinished bearing parts and another for wheel hub units, which were classified by the ITA according to the type of rolling element they contain.<sup>1</sup>

Commerce's decision to subdivide the petition's single class or kind into five classes or kinds was based on its evaluation of antifriction bearings (except for tapered roller bearings) within the structure of the criteria enumerated in *Diversified Prods. Corp. v. United States*, 6 CIT 155, 572 F. Supp. 883 (1983). Those criteria are: (1) general physical characteristics; (2) the expectations of the ultimate purchasers; (3) the channels of trade in which the merchandise moves; (4) the ultimate use of the product; and (5) cost. 6 CIT at 162, 572 F. Supp. at 889.<sup>2</sup> Royo asserts that the ITA's analysis was flawed in that it failed to apply the *Diversified Products* criteria to unfinished bearing parts and wheel hub units.

#### A. Bearing Parts:

Koyo claims that, since the physical characteristics of unfinished bearing parts are unlike those of finished bearings and since they are not interchangeable in use and require additional manufacturing processes before they become bearings, bearing parts should constitute a separate class or kind than finished bearings. *Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Partial Judgment on the Agency Record* ("Plaintiffs' Memorandum") at 37. The government counters that Koyo failed to exhaust its administrative remedies regarding this issue and is precluded from raising it now because it "abandoned" the issue after having raised it once early on in the investigations. *Defendant's Memorandum* at 128.

It is generally required that a party exhaust its administrative remedies prior to raising an issue before this court. However, exhaustion of administrative remedies is required in non-classification cases only where the court deems it "appropriate." 28 U.S.C. § 2637(d) (1988). See *Alhambra Foundry*, 12 CIT at 346-47, 685 F. Supp. at 1255-56.

In this case, plaintiffs "raised" the issue in a letter to Commerce on May 11, 1988, in which Koyo detailed its request that antifriction

<sup>1</sup> There appears to be some confusion on the part of the government and *Torrington* as to whether Koyo is challenging the class or kind determination or the scope determination, in which Commerce found that wheel hub units were within the scope of the investigations. *Memorandum of the United States in Opposition to Plaintiffs' Motion for Partial Judgment Upon the Agency Record Regarding Certain Fundamental Issues* ("Defendant's Memorandum") at 67; *Memorandum of the Torrington Company in Opposition to Koyo's Motion for Partial Summary Judgment* at 38. It is quite clear to this Court that Koyo has not challenged the decision to include wheel hub units within the scope of the investigations. Rather, Koyo seeks the designation of a separate class or kind for automotive wheel hub units.

<sup>2</sup> In this case, the Department used "the manner of advertising and display" instead of cost. 54 Fed. Reg. at 18,999.

bearings be divided into eight classes or kinds: "Ball bearings, integral shaft bearings, cylindrical roller bearings, spherical roller bearings, needle roller bearings, housed or mounted bearings, rod end/spherical plain bearings and parts." GAR (Pub.) Doc. 24 at 3 (emphasis added). However, in the long procession of paper which followed until the final determinations were issued on March 24, 1989, Koyo never again either raised this issue or provided any justification for its initial parts category. This includes Koyo's pre-hearing and post-hearing briefs as well as its testimony at the ITA's hearings. Japanese Record ("JR") (Pub.) Doc. 757; GAR (Pub.) Docs. 438, 474.

Since, when given several chances to espouse an argument that parts should be a separate class or kind, Koyo failed to do so, the ITA was not afforded the "opportunity to consider the matter, make its ruling, and state the reasons for its action." *Unemployment Compensation Comm'n of Alaska v. Aragon*, 329 U.S. 143, 155 (1946). Therefore, the Court finds that plaintiffs failed to exhaust their administrative remedies and are now barred from raising this issue before the Court. Accordingly, the decision not to create a separate class or kind for parts is affirmed.

#### B. *Wheel Hub Units:*

Plaintiffs also contend that the ITA improperly failed to create a separate class or kind for wheel hub units. In its pre-hearing brief, Koyo argued that wheel hub units should not be subject to an antidumping duty order because a wheel hub unit is "more than a bearing," in that it has different functions from a bearing and its manufacturing process differs from that of a bearing. JR (Pub.) Doc. 757 at 16. Thus, Koyo used the *Diversified Products* criteria to contend that wheel hub units constitute a separate product, i.e., class or kind, than antifriction bearings.

When the ITA made its class or kind analysis, it reviewed the totality of bearings and found that they should be segregated on the basis of their rolling element. This determination was affirmed in *Torrington*. While Commerce conducted a top-down class or kind analysis, Koyo seeks a bottom-up determination as to its particular product. That is, Koyo wants the ITA to look at wheel hub units and find that they constitute a separate class or kind. The record reveals that Commerce did consider the distinctions inherent within each of the classes or kinds when it made its class or kind determination. GAR (Pub.) Doc. 102. However, the ITA concluded that the type of rolling element was what gave a bearing its character and thus the bearings were classified accordingly. 54 Fed. Reg. at 18,999. In the event, the ITA found that wheel hub units, while different in some ways from ordinary ball bearings, merely were enhanced ball bearing units "modified in ways similar to other bearings which have flanged or otherwise enhanced parts containing raceways." *Id.* at 19,014.

Since the ITA's class or kind distinctions were based on the rolling elements and their various load and speed capabilities, and since no evidence was submitted to show that the load and speed capabilities of wheel hub units differed from those of other mounted bearings in their

assigned classes or kinds, the decision not to create a separate category for wheel hub units was consistent with Commerce's analysis of the issue. In light of this court's affirmance of Commerce's decision to subdivide the bearings on the basis of their rolling element, the Court holds that the decision not to create a class or kind for wheel hub units was reasonable and was supported by the evidence in the record and is affirmed.

## II. Standing:

Koyo also challenges the determination by Commerce that Torrington had standing to file an antidumping petition on behalf of the domestic industries which produce ball bearings, cylindrical roller bearings and wheel hub units. The statutory requirements for initiation of an antidumping proceeding by petition are that "an interested party \*\*\* files a petition with the administering authority, on behalf of an industry, which alleges the elements necessary for the imposition of the duty imposed by section 1673 of this title, and which is accompanied by information reasonably available to the petitioner supporting those allegations." 19 U.S.C. § 1673a(b)(1) (1988).

In *NTN Bearing*, the court affirmed Commerce's conclusion that petitioner herein possessed standing with regard to ball bearings, spherical roller bearings, cylindrical roller bearings, needle roller bearings and plain bearings. 15 CIT at \_\_\_, 757 F. Supp. at 1431. Concerning Koyo's challenge to Torrington's standing in the ball bearings and cylindrical roller bearings industries, the Court adheres to its opinion in *NTN Bearing*, and finds that Commerce properly determined that petitioner possessed standing to file an antidumping petition on behalf of those domestic industries.

Since wheel hub units are not a separate class or kind of merchandise, the Court need not inquire as to whether Torrington filed the petition on behalf of wheel hub unit manufacturers, as they do not comprise a separate industry. However, Koyo also bases its challenge to Torrington's standing on the issue of whether Torrington is an interested party. To have standing, a petitioner must be an interested party, that is, "a manufacturer, producer, or wholesaler in the United States of a like product." 19 U.S.C. § 1677(9)(C) (1988). Plaintiffs assert that petitioner is not an interested party because it does not manufacture wheel hub units and therefore did not have standing to file the petition regarding wheel hub units. *Plaintiffs' Memorandum* at 29.

There is no dispute that Torrington does not manufacture wheel hub units for automotive use. Torrington admitted as much several times during the investigation. See GAR (Pub.) Doc. 49 at 7, Doc. 438 at 175-76; GAR (Conf.) Doc. 36 at 18. However, Torrington does produce wheel hubs for other products, such as machine tools and aircraft. GAR (Pub.) Doc. 49 at 7; GAR (Conf.) Doc. 36 at 18. Also, the ITA found that wheel hub units merely were enhanced ball bearings, which Torrington does manufacture. 54 Fed. Reg. at 19,014. Therefore, Torrington was a producer of like products and was entitled to file a petition which

included wheel hub units. 19 U.S.C. § 1673a(b)(1); 19 U.S.C. § 1677(10) (1988).

Accordingly, the Court holds that the ITA properly concluded that Torrington had standing to file an antidumping petition which included automotive wheel hub units, provided those units fit within one of the five classes or kinds of bearings distinguished by Commerce.

### III. Alternative Reporting Requirements:

Lastly, Koyo argues that the ITA's failure to compare U.S. and home market sales of bearing parts, and its application of the margins for finished bearings to bearing parts, were not in accordance with law.

Due to the tremendous number of transactions involved in these investigations, the ITA adopted alternative reporting requirements to simplify the tasks of both the respondents and of Commerce itself. 54 Fed. Reg. at 19,027. The Tariff Act of 1930, as amended, provides that, whenever a significant volume of sales is involved or a significant number of adjustments to prices is required, the ITA may "use averaging or generally recognized sampling techniques" to determine the U.S. price or foreign market value of the subject merchandise. 19 U.S.C. § 1677f-1(a)(1) (1988). These averaging or sampling techniques must be "representative of the transactions under investigation." 19 U.S.C. § 1677f-1(b) (1988). See also *GMN Georg Muller Nurnberg AG v. United States*, 15 CIT \_\_\_, \_\_\_, Slip Op. 91-34 at 12 (April 26, 1991); *Asociacion Colombiana de Exportadores de Flores v. United States*, 13 CIT \_\_\_, \_\_\_, 704 F. Supp. 1114, 1121 (1989), *aff'd*, 901 F.2d 1089 (Fed. Cir. 1990), *cert. denied*, 111 S. Ct. 136 (1990); *Floral Trade Council of Davis, Cal. v. United States*, 12 CIT 1163, 1167, 704 F. Supp. 233, 237 (1988). Commerce's regulations also authorize the ITA to simplify the reporting requirements of respondents by varying the percent of the volume of exports examined and/or the period from which pricing information is submitted. 19 C.F.R. § 353.38 (1988).

Commerce in this case simplified the reporting requirements by, *inter alia*, asking the parties to report their sales data only on finished bearings manufactured from imported bearing parts in each of the five classes or kinds, as sold to the first unrelated buyer in the United States. 54 Fed. Reg. at 19,028. Hence, only data pertaining to finished bearings was used for the less than fair value ("LTFV") calculations and the resulting margins were applied to parts as well as to finished bearings. Koyo contends this methodology yielded unrepresentative results and inaccurate margins, since in calculating the price of imported bearing parts, Commerce did not deduct the value added in the United States from the exporter's sales price, as required by statute.<sup>3</sup>

In exporter's sales price transactions, as the instant ones were, the exporter's sales price of the merchandise is to be reduced by the amount of

<sup>3</sup> The exporter's sales price is "the price at which merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, as adjusted under subsections (d) and (e) of this section." 19 U.S.C. § 1677a(c) (1988).

"any increased value, including additional material and labor, resulting from a process of manufacture or assembly performed on the imported merchandise after the importation of the merchandise and before its sale to a person who is not the exporter of the merchandise." 19 U.S.C. § 1677a(e)(3) (1988).

The government argues that the ITA was not required to deduct value added from the exporter's sales price because Commerce concluded that the comparisons of the prices of finished bearings "would provide a reasonable estimate of the dumping margins" which would have been computed if Commerce had deducted the value added and compared the prices of the components. *Defendant's Second Memorandum in Opposition to Plaintiffs' Motions for Partial Judgment Upon the Agency Record Regarding Certain Fundamental Issues* at 30. The ITA also reasoned that this alternative methodology would serve to expedite the proceedings and "reduce the reporting burden on respondents." 54 Fed. Reg. at 19,028. In addition, Koyo presented no evidence that the margins would have been different if parts prices had been compared independently. *See Asociacion Colombiana*, 13 CIT at \_\_\_, 704 F. Supp. at 1122.

This court has acknowledged that Commerce has "great flexibility" at the investigatory stage of an antidumping proceeding. *Southwest Fla. Winter Vegetable Growers Ass'n v. United States*, 7 CIT 99, 107, 584 F. Supp. 10, 17 (1984). Though this does not mean Commerce retains the right to issue determinations by fiat, a significant degree of deference to the ITA's interpretative role is envisioned in the Tariff Act. *See Mitsubishi Elec. Corp. v. United States*, 12 CIT 1025, 1042, 700 F. Supp. 538, 552 (1988), *aff'd*, 898 F.2d 1577 (Fed. Cir. 1990). In the present case, the ITA used its discretion to compare only the prices of U.S. and home market finished bearings in order to relieve the onerous task of both respondents and of Commerce itself. In light of the immense amount of sales faced by Commerce in these investigations, that decision was reasonable and could be expected to yield a relatively accurate estimate of the dumping margins of bearing parts. Thus, the Court finds no error in the ITA's decision to apply the margins for completed bearings to bearing parts without deducting value added in the United States.

Given the unique complexity of the bearings investigations and the vast volume of sales involved, as well as the pressure on the ITA to complete the investigations within the statutory deadline, the Court finds that the streamlined procedure adopted by the ITA in this case was reasonable and was in accordance with law. It was fair to assume that finished bearings would have margins that were representative of the margins of unfinished bearing parts, particularly since no evidence was submitted to indicate otherwise. Therefore, the determination of the ITA to use the simplified methodology employed in this case is affirmed.

#### CONCLUSION

The Court finds that the determination by Commerce that bearing parts and wheel hub units do not constitute separate classes or kinds of merchandise was in accordance with law and is affirmed. Also, the Court adheres to its opinion in *NTN Bearing* and finds that Torrington had standing to file an antidumping petition on behalf of the domestic ball bearings and cylindrical roller bearings industries.

Lastly, the Court finds that the treatment of bearing parts under the alternative reporting requirements was in accordance with law and is affirmed.

## ABSTRACTED CLASSIFICATION DECISIONS

DECISION NO./DATE JUDGE	PLAINTIFF	COURT NO.	ASSESSED	HELD	BASIS	PORT OF ENTRY AND MERCHANDISE
C91/170 4/11/91 Teoucalas, J.	Liz Calborne	89-10-006562	4/202.32.20 20%	4/202.32.10 12.1c/kg. + 4.6%	Agreed statement of facts	New York Small leather goods
C91/171 6/20/91 Teoucalas, J.	Belwith Int'l Ltd.	89-8-00473	534.94 Various rates	727.55 or 727.70 Various rates	Agreed statement of facts	Los Angeles Porcelain knobs
C91/172 6/20/91 Teoucalas, J.	Med-I-Pant, Inc.	90-6-00292	389.62 8c per lb. + 11% 378.25 7% 378.65 4c per lb. + 9.5%	870.67 Free of duty	Agreed statement of facts	Champlain Incontinence care products
C91/173 6/20/91 Teoucalas, J.	Tail, Inc.	90-10-006564	6202.93.50.10 29.5% (women's jackets) 6204.63.36510 30.4% (women's trousers) 6201.13.4310 28.5% (men's jackets) 6203.43.4010 (men's trousers)	6211.43.00.40 17% (women's jackets) 6211.43.0050 17% (women's trousers) 6211.33.0030 17% (men's trousers) 6211.33.0035 (men's other jackets)	Agreed statement of facts	Miami Men's and women's track suits
C91/174 6/24/91 Teoucalas, J.	Adidas USA, Inc.	83-3-00354	700.95 12.5%	700.35 or 700.45 8% or 10%	Mitsubishi Int'l Corp. v. U.S., 11 CIT 928 (1987)	Detroit Newark Footwear
C91/175 6/24/91 Teoucalas, J.	American Hospital Supply Corp.	85-5-00701	712.49 Various rates	676.30 Various rates	Agreed statement of facts	Chicago Printers
C91/176 6/24/91 Teoucalas, J.	V.G. Nahrgang Co.	88-10-00753	680.12 3.9%	801.00 Free of duty	Agreed statement of facts	Detroit Cavity ring mold cover combination

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**ABSTRACTED CLASSIFICA**

DECISION NO./DATE JUDGE	PLAINTIFF	COURT NO.	ASSESSED
C91/170 4/11/91 Tsoucalas, J.	Liz Caliborne	89-10-00562	4202.32.20 20%
C91/171 6/20/91 Tsoucalas, J.	Belwith Int'l Ltd.	89-8-00473	534.94 Various rates
C91/172 6/20/91 Tsoucalas, J.	Med-I-Pant, Inc.	90-6-00292	389.62 8c per lb. + 1 378.25 7% 378.65 4c per lb. + 9
C91/173 6/20/91 Tsoucalas, J.	Tail, Inc.	90-10-00554	6202.93.5010 29.5% (women's jackets) 6204.63.3510 30.4% (women's trouser) 6201.13.4310 29.5% (men's jackets) 6203.43.4010 (men's trousers)
C91/174 6/24/91 Tsoucalas, J.	Adidas USA, Inc.	83-3-00354	700.95 12.5%
C91/175 6/24/91 Tsoucalas, J.	American Hospital Supply Corp.	85-5-00701	712.49 Various rates
C91/176 6/24/91 Tsoucalas, J.	V.G. Nahrgang Co.	88-10-00753	680.12 3.9%

## RATION DECISIONS

50

CUSTOMS BULLETIN AND DECISIONS, VOL. 25, NO. 29, JULY 17, 1991

	HELD	BASIS	PORT OF ENTRY AND MERCHANDISE
	4202.32.10 12.1c/kg. + 4.6%	Agreed statement of facts	New York Small leather goods
s	727.55 or 727.70 Various rates	Agreed statement of facts	Los Angeles Porcelain knobs
11%	870.67 Free of duty	Agreed statement of facts	Champlain Incontinence care products
9.5%	6211.43.00.40 17% (women's jackets) 6211.43.0050 17% (women's trousers) 6211.33.0030 17% (men's trousers) 6211.33.0035 (men's other jackets)	Agreed statement of facts	Miami Men's and women's track suits
ers)	700.35 or 700.45 8% or 10%	Mitsubishi Int'l Corp. <i>v.</i> U.S., 11 CIT 928 (1987)	Detroit Newark Footwear
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